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PATERSON'S PRACTICAL STATUTES.

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THE

PRACTICAL STATUTES *cf*

OF

THE SESSION 1903

(3 EDWARD 7);

WITH

INTRODUCTIONS, NOTES, TABLES OF STATUTES
REPEALED AND SUBJECTS ALTERED,
LISTS OF LOCAL AND PERSONAL AND PRIVATE ACTS,
AND A COPIOUS INDEX.

~~~~~  
EDITED BY

JAMES SUTHERLAND COTTON,

BARRISTER-AT-LAW.

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LONDON:

HORACE COX,

"LAW TIMES" OFFICE, WINDSOR HOUSE,  
BREAM'S BUILDINGS, E.C.

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**JAN 23 1926**

**LONDON**

**PRINTED BY HORACE COX, WINDSOR HOUSE, BREAM'S BUILDINGS, E.C.**

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## SESSION 1903—3 EDWARD 7.

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A TABLE  
OF THE  
PRINCIPAL ENACTMENTS REPEALED  
BY THE  
PRACTICAL STATUTES OF 1903.

| Acts wholly or partially repealed. | Description of Acts.                           | Reference to the repealing statute of 1903. | Extent of Repeal.                                                                                                                                                   |
|------------------------------------|------------------------------------------------|---------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 22 & 23 Vict. c. 40                | The Royal Naval Reserve (Volunteer) Act, 1859. | c. 6, s. 5 ...                              | In sect. 1, the words "not exceeding 30,000."                                                                                                                       |
| 63 & 64 Vict. c. 52                | The Naval Reserve Act, 1900.                   | " "                                         | In sect. 1, the words "not exceeding 15,000 in number."                                                                                                             |
| 62 & 63 Vict. c. 9                 | The Finance Act, 1899.                         | c. 8, s. 7 ...                              | Sect. 16.                                                                                                                                                           |
| 63 & 64 Vict. c. 2                 | The War Loan Act, 1900.                        | " "                                         | In sect. 3, the words "but the principal and interest and other sums so charged shall not be payable as part of the permanent annual charge for the National Debt." |
| 2 Edw. 7, c. 7                     | The Finance Act, 1902.                         | " "                                         | Sects. 1, 6, and the First and Second Schedules as from July 1, 1903.                                                                                               |
| 51 & 52 Vict. c. 41                | The Local Government Act, 1888.                | c. 9, s. 1, sub-s. 5                        | Proviso (b) to sect. 15.                                                                                                                                            |
| 35 & 36 Vict. c. 91                | The Borough Funds Act, 1872.                   | c. 14, s. 10...                             | In sect. 4, the words from "Provided further" to the end of the section.                                                                                            |
|                                    |                                                | " "                                         | In sect. 5, the words "or one of Her Majesty's principal Secretaries of State, as the case may be," and the words "or Secretary of State."                          |
|                                    |                                                | " "                                         | In sect. 6, the words "by one of Her Majesty's principal Secretaries of State or" and the words "as the case may be."                                               |

vi A TABLE OF PRINCIPAL ENACTMENTS REPEALED.

| Acts wholly or partially repealed.  | Description of Acts.                                        | Reference to the repealing statute of 1903. | Extent of Repeal.                                                                                                                                                                   |
|-------------------------------------|-------------------------------------------------------------|---------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 35 & 36 Vict. c. 91<br>(continued). | The Borough Funds Act, 1872.                                | c. 14, s. 10...                             | In sect. 7, the words "or one of Her Majesty's principal Secretaries of State."                                                                                                     |
|                                     |                                                             | " "                                         | In sect. 11, the words "or the metropolitan area as defined by the Metropolis Management Act, 1855."                                                                                |
| 4 & 5 Will. 4. c. 76                | The Poor Law Amendment Act, 1834.                           | c. 19, s. 3 ...                             | Sect. 32, from the words "provided always," where they first occur, to "entitled thereto, as the case may be."                                                                      |
| 7 & 8 Vict. c. 101                  | The Poor Law Amendment Act, 1844.                           | " "                                         | Sect. 46, from "and in case of any addition" to the end of the section.                                                                                                             |
| 31 & 32 Vict. c. 122                | The Poor Law Amendment Act, 1868.                           | " "                                         | Sect. 12.                                                                                                                                                                           |
| 32 & 33 Vict. c. 63                 | The Metropolitan Poor Amendment Act, 1869.                  | " "                                         | The words "adjust the rights and liabilities of parishes and unions comprised therein, respectively, and" in sect. 1, and sect. 4, from "and they shall" to the end of the section. |
| 33 & 34 Vict. c. 2                  | The Dissolved Boards of Management and Guardians Act, 1870. | " "                                         | Sect. 4.                                                                                                                                                                            |
|                                     |                                                             | " "                                         | Sect. 7, so far as it empowers the Local Government Board by order to direct the payment of any instalment of, or interest on, any loan as there in mentioned.                      |
| 39 & 40 Vict. c. 61                 | The Divided Parishes and Poor Law Amendment Act, 1876.      | " "                                         | Sect. 11.                                                                                                                                                                           |
|                                     |                                                             | " "                                         | Sect. 8, from the beginning of the section to "order; and."                                                                                                                         |
| 45 & 46 Vict. c. 58                 | The Divided Parishes and Poor Law Amendment Act, 1882.      | " "                                         | Sects. 9, 10, and 11.                                                                                                                                                               |
| 30 & 31 Vict. c. 98                 | The Patriotic Fund Act, 1867.                               | c. 20, s. 4 ...                             | The whole Act.                                                                                                                                                                      |
| 44 & 45 Vict. c. 46                 | The Patriotic Fund Act, 1881.                               | " "                                         | The whole Act.                                                                                                                                                                      |
| 49 & 50 Vict. c. 30                 | The Patriotic Fund Act, 1886.                               | " "                                         | The whole Act.                                                                                                                                                                      |
| 62 & 63 Vict. c. 45                 | The Patriotic Fund Act, 1899.                               | " "                                         | The whole Act.                                                                                                                                                                      |

| Acts wholly or partially repealed. | Description of Acts.                      | Reference to the repealing statute of 1903.   | Extent of Repeal.                                                                                                                                                                                                                                           |
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| 33 & 34 Vict.<br>c. 75             | The Elementary Education Act, 1870.       | c. 24, s. 5.<br>sub-s. 2<br>" "<br>" "<br>" " | The definition of "metropolis" in sect. 3.<br>Sects. 37, 38, and 39.<br>Sect. 58.<br>The Third Part of the Second Schedule and the Fifth Schedule.<br>Sect. 16                                                                                              |
| 36 & 37 Vict.<br>c. 86             | The Elementary Education Act, 1873.       | " "                                           | Sect. 16                                                                                                                                                                                                                                                    |
| 48 & 49 Vict.<br>c. 38             | The School Boards Act, 1885.              | " "                                           | Sect. 2.                                                                                                                                                                                                                                                    |
| 59 & 60 Vict.<br>c. 16             | The Locomotives on Highways Act, 1896.    | c. 26, s. 9,<br>sub-s. 1                      | Sect. 4.                                                                                                                                                                                                                                                    |
| 51 & 52 Vict.<br>c. 43             | The County Courts Act, 1888.              | c. 42, s. 3 ...                               | The portions of sects. 56, 57, 58, 59, 60, 81, 96, 116, 138, and 139 containing the words "fifty pounds."                                                                                                                                                   |
| 18 & 19 Vict.<br>c. 35             | The Income Tax (Insurance) Act, 1855.     | c. 46, s. 17,<br>sub-s. 1                     | Sect. 1, from "Provided that" to the end of the section.                                                                                                                                                                                                    |
| 26 & 27 Vict.<br>c. 87             | The Trustee Savings Bank Act, 1863.       | " "                                           | Sect. 26, from the beginning of the section to "Provided also that" inclusive.                                                                                                                                                                              |
| 39 & 40 Vict.<br>c. 35             | The Customs Tariff Act, 1876.             | " "                                           | The last paragraph but two of the Schedule, commencing with the words "Upon the importation into Great Britain and Ireland" and ending with the words "importation into the United Kingdom."                                                                |
| 53 & 54 Vict.<br>c. 8              | The Customs and Inland Revenue Act 1890.  | " "                                           | Sub-sect. 2 of sect. 26, except so far as applied for the purposes of the repealing Act.                                                                                                                                                                    |
| 54 & 55 Vict.<br>c. 25             | The Customs and Inland Revenue Act, 1891. | " "                                           | Sect. 4.                                                                                                                                                                                                                                                    |
| 54 & 55 Vict.<br>c. 39             | The Stamp Act, 1891.                      | " "                                           | In the Schedule the words—<br>"COMMISSION: £ s. d.<br>(1) To any officer in the army or in the corps of Royal Marines 1 10 0<br>(2) To any officer in the navy ..... 0 5 0<br>Exemption:<br>Commission to any officer of militia, yeomanry, or volunteers." |



A TABLE  
OF THE  
PRINCIPAL SUBJECTS ALTERED  
BY THE  
PRACTICAL STATUTES OF 1903.

| Subjects.                        | Reference to the Acts of 3 Edw. 7, making alterations in such subjects. | Summary of Nature of Alterations.                                                         |
|----------------------------------|-------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|
| Barrister ... ..                 | c. 38 ... ..                                                            | To be assigned to poor prisoner.                                                          |
| Bills in Parliament              | c. 46, s. 13 ... ..<br>c. 9 ... ..                                      | May be heard on income tax appeals.<br>Power for county councils to promote.              |
| Bounty-fed Sugar Children ... .. | c. 14 ... ..<br>c. 21 ... ..                                            | Power for councils of boroughs and urban districts to promote.<br>Importation prohibited. |
|                                  | c. 45, s. 1 ... ..                                                      | By-laws by local authority regulating employment.                                         |
|                                  | s. 2 ... ..                                                             | By-laws by local authority regulating street trading.                                     |
|                                  | s. 3 ... ..                                                             | General restrictions on employment.                                                       |
|                                  | s. 11 ... ..                                                            | Regulations on employment in public entertainments.                                       |
| Coal Mines ... ..                | c. 7 ... ..                                                             | Qualification of manager.                                                                 |
| Collections in Streets ... ..    | c. 16 ... ..                                                            | Regulations in London.                                                                    |
| Commissions ... ..               | c. 46, s. 9 ... ..                                                      | Abolition of Stamp Duty.                                                                  |
| Companies ... ..                 | c. 46, s. 5 ... ..                                                      | Payment of duty on increased capital.                                                     |
| Corn ... ..                      | c. 8, s. 1 ... ..                                                       | Abolition of duty.                                                                        |
| County Councils                  | c. 9 ... ..<br>c. 15 ... ..                                             | Power to promote Bills in Parliament.<br>Transfer of powers of Government Departments.    |
| County Courts                    | c. 42, s. 3 ... ..                                                      | Extension of jurisdiction to claims for £100.                                             |
|                                  | s. 4 ... ..                                                             | Number of jury increased to eight.                                                        |
| Drunken Person                   | c. 18, s. 5 ... ..                                                      | Penalty on sale of pistol to.                                                             |
| Education ... ..                 | ... ..                                                                  | See LONDON.                                                                               |
| Electrical                       | c. 30 ... ..                                                            | Regulations for use on railways.                                                          |
| Power                            |                                                                         |                                                                                           |
| Entertainments                   | c. 45, s. 11 ... ..                                                     | Restrictions on employment of children.                                                   |

| Subjects.                  | Reference to the Acts of 3 Edw. 7, making alterations in such subjects. | Summary of Nature of Alterations.                                    |
|----------------------------|-------------------------------------------------------------------------|----------------------------------------------------------------------|
| Employment ...             | ... ..                                                                  | <i>See</i> CHILDREN.                                                 |
| Estate Duty ...            | c. 46, s. 14 ...                                                        | Allowance of fixed duty on small estates, when afterwards increased. |
| Firearms ...               | ... ..                                                                  | <i>See</i> PISTOLS.                                                  |
| Fisheries ...              | c. 31 ...                                                               | Superintendence transferred to Board of Agriculture.                 |
| Flats ...                  | c. 46, s. 11 ...                                                        | Reduction of inhabited house duty.                                   |
| Friendly Societies         | c. 46, s. 10 ...                                                        | Allowance of income tax on insurance premiums.                       |
| Girls ...                  | c. 45, s. 2 ...                                                         | Special provisions as to street trading.                             |
| Glucose ...                | c. 8, s. 1 ...                                                          | Reduction of duty.                                                   |
|                            | c. 21, s. 3 ...                                                         | Exempted from Sugar Convention Act.                                  |
| Grain ...                  | ... ..                                                                  | <i>See</i> CORN.                                                     |
| Guardian ...               | c. 45, s. 6 ...                                                         | Offences in connection with employment of children.                  |
| Householder ...            | c. 18, s. 3 ...                                                         | May purchase pistol for use in house.                                |
| Housing of Working Classes | c. 39, s. 1 ...                                                         | Extension of period for repayment of loans.                          |
|                            | s. 3 ...                                                                | Obligations when land taken under statutory powers.                  |
|                            | s. 4 ...                                                                | Provisions on failure of local authority.                            |
|                            | ss. 5, 7, 8, 9, 10                                                      | Amendments of procedure.                                             |
|                            | s. 12 ...                                                               | Condition in contracts for letting made absolute.                    |
| Inhabited House Duty       | c. 46, s. 11 ...                                                        | Reduction on houses let in tenements.                                |
| Income Tax ...             | c. 46, s. 10 ...                                                        | Allowance on friendly societies' insurance premiums.                 |
|                            | s. 13 ...                                                               | Professional representation on appeal.                               |
| Insane Person              | c. 18, s. 5 ...                                                         | Penalty on sale of pistol to.                                        |
| Jury ...                   | ... ..                                                                  | <i>See</i> COUNTY COURT.                                             |
| Licence ...                | c. 36, s. 3 ...                                                         | For driver of motor car.                                             |
|                            | c. 45, s. 2 ...                                                         | For street trader.                                                   |
| Light Locomotive           | ... ..                                                                  | <i>See</i> MOTOR CAR.                                                |
| London ...                 | c. 28 ...                                                               | Application of Education Act of 1902.                                |
| Molasses ...               | c. 21, s. 1 ...                                                         | Prohibition of bounty-fed sugar not to extend to.                    |
|                            | s. 2 ...                                                                | Regulations as to extraction of sugar from.                          |
|                            | c. 46, s. 1 ...                                                         | Exempted from duty when used as food for stock.                      |
| Motor Cars ...             | c. 36, s. 1 ...                                                         | Penalty for reckless driving.                                        |
|                            | s. 2 ...                                                                | Registration and identification.                                     |
|                            | s. 3 ...                                                                | Licensing of drivers.                                                |
|                            | s. 6 ...                                                                | Duty to stop in case of accident.                                    |
|                            | ss. 7, 8 ...                                                            | Regulations by Local Government Board.                               |
|                            | s. 9 ...                                                                | Rate of speed.                                                       |
|                            | s. 10 ...                                                               | Erection of notice boards.                                           |
|                            | s. 12 ...                                                               | Maximum weight of cars.                                              |

| Subjects.                   | Reference to the Acts of 3 Edw. 7, making alterations in such subjects. | Summary of Nature of Alterations.                     |
|-----------------------------|-------------------------------------------------------------------------|-------------------------------------------------------|
| Motor Cycles ...            | c. 36, s. 2 ...                                                         | Fee for registration.                                 |
|                             | s. 3 ...                                                                | Licence for driver.                                   |
| Parent ... ..               | c. 45, s. 6 ...                                                         | Offences in connection with employment of children.   |
| Pistols ... ..              | c. 18... ..                                                             | Regulations as to sale or hire.                       |
| Poor Prisoners              | c. 38... ..                                                             | Provision of legal aid.                               |
| Postal Orders...            | c. 12... ..                                                             | For one guinea.                                       |
| Railways... ..              | c. 30... ..                                                             | Facilities for using electricity.                     |
| Revolvers ... ..            | ... ..                                                                  | See PISTOLS.                                          |
| Securities ... ..           | c. 46, s. 7 ...                                                         | Reduction of stamp duty on collateral or substituted. |
| Sheep Scab ... ..           | c. 43... ..                                                             | Compulsory adoption of remedies.                      |
| Ships under Construction    | c. 46, s. 8 ...                                                         | Reduction of stamp duty on policies of insurance.     |
| Solicitor ... ..            | c. 3 <sup>a</sup> ... ..                                                | To be assigned to poor prisoner.                      |
|                             | c. 46, s. 13 ...                                                        | To be heard on income tax appeals.                    |
| Street Collections          | c. 17... ..                                                             | Regulations in London.                                |
| Street Trading              | c. 45, s. 2 ...                                                         | By-laws for regulating, in case of young persons.     |
| Sugar ... ..                | c. 21, s. 1 ...                                                         | Power to prohibit importation, when bounty-fed.       |
|                             | s. 2 ...                                                                | Regulations as to refineries and factories.           |
| Urban District Councils ... | c. 14... ..                                                             | Power to promote Bills in Parliament.                 |





# PRACTICAL STATUTES.

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1903.

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3 EDW. 7, CAP. 1.

*An Act to make provision for a Bank Holiday in Ireland on the seventeenth day of every March.*—[27th March, 1903.]

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3 EDW. 7, CAP. 2.

*An Act to provide for the Authorisation of Races with Light Locomotives in Ireland.*—[27th March, 1903.]

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3 EDW. 7, CAP. 3.

*An Act to apply certain sums out of the Consolidated Fund to the service of the years ending on the thirty-first day of March one thousand nine hundred and two, one thousand nine hundred and three, and one thousand nine hundred and four.*—[27th March, 1903.]

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3 EDW. 7, CAP. 4.<sup>(1)</sup>

*An Act to provide, during Twelve Months, for the Discipline and Regulation of the Army.*—[30th April, 1903.]

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<sup>(1)</sup> This is the Annual Army Act. It continues the Army Act (44 & 45 Vict. c. 58), and enacts the same prices for billeting as in the Act of 1892. There are no amendments, even of a technical nature.

## 3 EDW. 7, CAP. 5.

*An Act to constitute the Town of Duns to be the Head Burgh or County Town of Berwickshire.*—[30th June, 1903.]

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## NAVAL FORCES ACT, 1903.

## 3 EDW. 7, CAP. 6.

*An Act to provide for the Constitution of a Royal Naval Volunteer Reserve, and a Force of Royal Marine Volunteers, and otherwise amend the Law relating to His Majesty's Naval Forces.*—[30th June, 1903.]

Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. *Power to raise new Naval Volunteer force*—22 & 23 Vict. c. 40—26 & 27 Vict. c. 65.—(1) It shall be lawful for the Admiralty to raise and maintain a force to be called the Royal Naval Volunteer Reserve.

(2) The provisions of the Royal Naval Reserve (Volunteer) Act, 1859, as amended by any subsequent enactment,<sup>(1)</sup> shall apply to the force so raised, subject to the following modifications, namely :—

(i) Section two,<sup>(2)</sup> section three,<sup>(3)</sup> the proviso to section five,<sup>(4)</sup> and section twenty<sup>(5)</sup> of the Royal Naval Reserve (Volunteer) Act, 1859 (relating to condi-

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(1) It is believed that there are no amending enactments.

(2) That section provides for a term of service of five years.

(3) That section provides that volunteers may be trained for twenty-eight days in each year, and on shore or on board ship.

(4) That proviso relates to serving in the Navy at intervals.

(5) That section imposes a penalty upon a volunteer for not attending training.

tions of service), so much of section six as relates to naval pay, and sections nine and ten of that Act (relating to pay and pensions), shall not apply to the force raised under this section :

- (ii) The Admiralty may make regulations for carrying into effect the provisions of this section, and in particular for adapting to volunteers enrolled under this section the provisions of the Volunteer Act, 1863,<sup>(6)</sup> which relate to the power of volunteers to quit the corps when not on actual service,<sup>(7)</sup> and to rules and property of the corps.

2. *Royal Marine Volunteers*.—(1) It shall be lawful for the Admiralty to raise and maintain a force of Royal Marine Volunteers, and for that purpose the Admiralty may make regulations as to the enrolment of men to serve in that force.

(2) The volunteers so enrolled shall be subject to the provisions of the enactments for the time being in force relating to volunteers, provided that when subject to military law, the Army Act shall apply to them as it applies to the Royal Marines, and that when called out for actual service or voluntarily serving for training afloat, they shall be available for service beyond the seas.

(3) In the application of the enactments relating to the volunteers to the Royal Marine Volunteers, the Admiralty shall be substituted for a Secretary of State, and the Admiralty may make regulations for adapting those enactments where necessary to the Royal Marine Volunteers.

3. *Payment of volunteers on actual service or when training afloat*—28 & 29 Vict. c. 73.—Where a volunteer enrolled under this Act is serving for training afloat or is

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(6) These provisions are contained in sect. 7 of that Act.

(7) These provisions are contained in sects. 24-30 of that Act.

called out for actual service, he shall be deemed to be serving in His Majesty's naval or marine force within the meaning of the Naval and Marine Pay and Pensions Act, 1865, as amended by any subsequent enactment, and those enactments shall apply accordingly.

4. *Engagement of non-continuous service men*—63 & 64 Vict. c. 52.—(1) Where, after the passing of this Act, a man or boy is entered for non-continuous service in the naval service of His Majesty, he may, if regulations made by the Admiralty so prescribe, be engaged for a period not exceeding twelve years, on the terms that after such number of years' service in the Navy as the regulations prescribe, and as may be specified in his engagement paper, he shall be liable to serve for the residue of the term of his engagement in the Royal Fleet Reserve.

(2) The expression "Royal Fleet Reserve" means the division of the Royal Naval Reserve raised under the Naval Reserve Act, 1900.

5. *Removal of restriction on numbers of Naval Reserve*.—The Royal Naval Reserve and the Royal Fleet Reserve shall consist of such number of men as the Admiralty may determine, and in section one of the Royal Naval Reserve (Volunteer) Act, 1859, the words "not exceeding thirty thousand," and in section one of the Naval Reserve Act, 1900, the words "not exceeding fifteen thousand in number" shall be repealed.

6. *Short title*.—This Act may be cited as "The Naval Forces Act, 1903."

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## COAL MINES REGULATION ACT (1887) AMENDMENT ACT, 1903.

3 EDW. 7, CAP. 7.

*An Act to amend the Coal Mines Regulation Act, 1887.—  
[30th June, 1903.]*

Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. *Amendment of 50 & 51 Vict. c. 58, s. 23.*—(1) From and after the passing of this Act, section twenty-three, sub-section one,<sup>(1)</sup> of the Coal Mines Regulation Act, 1887, shall be read and construed as if the words following were added thereto at the end of the said sub-section, viz. :—

“Or unless he has received a diploma in scientific and mining training after a course of study of at least two years at any university, university college, mining school, or other educational institution to be approved of by a Secretary of State, or has taken a degree of any university to be so approved of which includes scientific and mining subjects, and has also had practical experience in a mine for at least three years. The approval of the Secretary of State shall be signified in writing under his hand, and may be given subject to such conditions as he may think fit, and may be revoked at any time.”

2. *Short title.*—This Act may be cited as “The Coal Mines Regulation Act (1887) Amendment Act, 1903.”

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(<sup>1</sup>) That sub-section provides that no person shall have a certificate of competency as a mine manager unless he shall have had practical experience in a mine for at least five years.

**FINANCE ACT, 1903.****3 EDW. 7, CAP. 8.****SUMMARY.****Sect.           PART I.—CUSTOMS AND EXCISE.**

1. Duty on grain, &c., to cease.
2. Duty on tea.
3. Continuance of additional customs duty and drawbacks on tobacco, beer, and spirits.
4. Continuance of additional excise duties and drawbacks on beer and spirits.

**PART II.—INCOME TAX.**

5. Income tax for 1903—1904.

**PART III.—NATIONAL DEBT.**

6. Amount of permanent annual charge for National Debt.

**PART IV.—GENERAL.**

7. Repeal, construction, and short title.  
Schedules.

**INTRODUCTION.**

This statute contains the financial provisions of the Chancellor of the Exchequer for the year. But it should be noted that some amendments of the law relating to Customs and Inland Revenue, and also to the National Debt, such as have on former occasions been incorporated in Finance Acts, have now been comprised in a separate statute, called the Revenue Act (c. 46, *post*).

The conclusion of the prolonged war in South Africa has at last permitted some reduction of taxation. The income-tax is reduced from 1s. 3d. to 11d. in the £, and the grain duties imposed last year are altogether removed. The increased duties on glucose are also reduced to the amount levied in 1901. On the other hand, the duty on tea is maintained at 6d. per pound; the duty on sugar and the export duty on coal are untouched; and the increased duties on tobacco, beer, and spirits, which were

imposed three years ago, are continued for an additional twelve months, until August 1, 1904.

The sinking fund is re-established, the permanent annual charge of the National Debt being raised to 27 millions from the old amount of 23 millions. But the comparison between these two figures requires some explanation. The larger figure includes the interest on the various loans that have been raised during the past three years for war expenditure, while on the other hand the rate of interest on Consols was reduced on April 1 from  $2\frac{3}{4}$  to  $2\frac{1}{4}$  per cent.

#### THE STATUTE.

*An Act to grant certain duties of Customs and Inland Revenue, to alter other duties, and to amend the Law relating to Customs and Inland Revenue and the National Debt, and to make other provisions for the financial arrangements of the year.*—[30th June, 1903.]

Most Gracious Sovereign,

We, Your Majesty's most dutiful and loyal subjects the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards raising the necessary supplies to defray Your Majesty's public expenses, and making an addition to the public revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the several duties hereinafter mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

#### PART I.—CUSTOMS AND EXCISE.

1. *Duty on grain, &c., to cease*—2 *Edw. 7, c. 7*—39 & 40 *Vict. c. 35.*—(1) On the first day of July nineteen



hundred and three the duties on grain and other articles imposed by section one<sup>(1)</sup> of the Finance Act, 1902, and the drawbacks allowed under that section,<sup>(2)</sup> shall cease and determine.

(2) On and after the first day of July nineteen hundred and three, the amount of the duties on glucose referred to in section six<sup>(3)</sup> of the Finance Act, 1902, shall be the same as if that section had not been passed.

(3) The Commissioners of Customs shall have power, and shall be deemed to have had power as from the twenty-fourth day of April nineteen hundred and three,<sup>(4)</sup> to remit any charge payable under the last paragraph but one in the schedule to the Customs Tariff Act, 1876, on the delivery of any grain or any of the articles mentioned in the First Schedule to the Finance Act, 1902, from warehouse for home consumption, and they may return the amount of any such charge paid on or after that date.

(4) If any person proves to the satisfaction of the Commissioners of Customs that he had in his stock or possession at the close of the thirtieth day of June nineteen hundred and three:—

- (a) any grain or articles on which duty of an aggregate amount of not less than twenty-five pounds has been paid under section one of the Finance Act, 1902; or
- (b) any solid or liquid glucose on which an excess duty

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<sup>(1)</sup> These duties are specified in the First Schedule to that Act.

<sup>(2)</sup> These drawbacks are set out in the Second Schedule to that Act.

<sup>(3)</sup> By that section the duties per cwt. were raised from 2s. 9d. to 3s. 3d. for solid glucose, and from 2s. to 2s. 6d. for liquid glucose. They are now reduced to the former amounts, as contained in sect. 2 of the Finance Act, 1901.

<sup>(4)</sup> This was the date when the Budget was introduced in the House of Commons.

of an aggregate amount of not less than twenty-five pounds has been paid;

the Commissioners of Customs may remit and pay to that person the amount of the duty so paid, or, in the case of glucose, the amount of the excess duty.

For the purposes of this sub-section duty shall be treated as having been paid on an article if it has been paid on any part, ingredient, or material of the article, and "excess duty" means the additional sixpence per hundredweight payable under section six of the Finance Act, 1902.

A person shall not be entitled to any payment under this sub-section unless he claims that payment in writing from the Commissioners of Customs before the fourteenth day of July nineteen hundred and three.

2. *Duty on tea.*—The duty of customs now payable on tea shall continue to be charged, levied, and paid, until the first day of August nineteen hundred and four, on the importation thereof into Great Britain or Ireland; that is to say—

Tea, the pound, sixpence.

3. *Continuance of additional customs duty and drawbacks on tobacco, beer, and spirits*—63 & 64 Vict. c. 7.—The additional duties of customs on tobacco, beer, and spirits imposed by sections two, three, four, and five of the Finance Act, 1900 (including the increased duties imposed by section five of that Act), shall continue to be charged, levied, and paid until the first day of August nineteen hundred and four, and, as regards the period for which any additional drawbacks are allowed under those sections, nineteen hundred and four shall be substituted for nineteen hundred and one.

4. *Continuance of additional excise duties and drawbacks on beer and spirits*—63 & 64 Vict. c. 7.—The additional duties of excise on beer and spirits imposed by sections six and seven of the Finance Act, 1900, shall

continue to be charged, levied, and paid until the first day of August nineteen hundred and four, and, as regards the period in respect of which any additional drawback is allowed under the said section six, nineteen hundred and four shall be substituted for nineteen hundred and one.

## PART II.—INCOME TAX.

5. *Income tax for 1903-1904—46 & 47 Vict. c. 10.*—(1) Income tax for the year beginning on the sixth day of April nineteen hundred and three shall be charged at the rate of elevenpence.

(2) All such enactments relating to income tax as were in force on the fifth day of April nineteen hundred and three shall have full force and effect with respect to the duty of income tax hereby granted.

(3) Section ten of the Customs and Inland Revenue Act, 1883 (which related to duty on dividends, &c., paid prior to the passing of the Act), shall be applied with respect to the year which commenced on the sixth day of April nineteen hundred and three as it was applied with respect to the year which commenced on the sixth day of April eighteen hundred and eighty-three, and as if it were re-enacted in this Act with the necessary change of date.

## PART III.—NATIONAL DEBT.

6. *Amount of permanent annual charge for National Debt—38 & 39 Vict. c. 45—50 & 51 Vict. c. 16.*—(1) The amount of the permanent annual charge for the National Debt during the current and every subsequent financial year shall be the sum of twenty-seven million pounds, and “twenty-seven” shall be substituted for “twenty-three” in section one of the Sinking Fund Act, 1875, as amended by subsequent Acts.

(2) Any interest or dividends on any stock, bonds, or other securities issued under the Acts specified in the

First Schedule to this Act shall, notwithstanding anything in section two of the National Debt and Local Loans Act, 1887, be paid as part of the permanent annual charge for the National Debt.

#### PART IV.—GENERAL.

7. *Repeal, construction, and short title*—39 & 40 Vict. c. 36.—(1) The Acts specified in the Second Schedule to this Act are hereby repealed to the extent mentioned in the third column of that schedule.

(2) Part I. of this Act so far as relates to duties of customs shall be construed together with the Customs Consolidation Act, 1876, and the Acts amending that Act, and so far as it relates to duties of excise shall be construed together with the Acts which relate to the duties of excise and the management of those duties.

(3) This Act may be cited as “The Finance Act, 1903.”

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#### FIRST SCHEDULE.

##### ACTS CREATING WAR DEBT.

|                        |     |                                                 |
|------------------------|-----|-------------------------------------------------|
| 63 Vict. sess. 2, c. 2 | ... | The Treasury Bills Act, 1899.                   |
| 63 & 64 Vict. c. 2     | ... | The War Loan Act, 1900.                         |
| 63 & 64 Vict. c. 61    | ... | The Supplemental War Loan Act,<br>1900.         |
| 64 Vict. sess. 2, c. 1 | ... | The Supplemental War Loan (No. 2)<br>Act, 1900. |
| 1 Edw. 7, c. 12...     | ... | The Loan Act, 1901.                             |
| 2 Edw. 7, c. 4         | ... | The Loan Act, 1902.                             |

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## SECOND SCHEDULE.

## ACTS REPEALED.

| Session and Chapter.   | Short Title.               | Extent of Repeal.                                                                                                                                                                               |
|------------------------|----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 62 & 63 Vict.<br>c. 9. | The Finance Act, 1899.     | Section sixteen.                                                                                                                                                                                |
| 63 & 64 Vict.<br>c. 2. | The War Loan Act,<br>1900. | In section three, the words<br>"but the principal and<br>interest and other sums so<br>charged shall not be pay-<br>able as part of the perma-<br>nent annual charge for the<br>National Debt." |
| 2 Edw. 7,<br>c. 7.     | The Finance Act, 1902.     | Sections one, six, and the<br>First and Second Schedules<br>as from the first day of<br>July nineteen hundred and<br>three                                                                      |

COUNTY COUNCILS (BILLS IN PARLIA-  
MENT) ACT, 1903.

3 EDW. 7, CAP. 9.

## INTRODUCTION.

The statute removes the prohibition to promote Bills in Parliament which was imposed upon county councils by the statute creating them, the Local Government Act, 1888 (51 & 52 Vict. c. 41, s. 15). County councils are now given the same power of promoting as of opposing a Bill, without the restriction of a poll by the electors which applies to borough councils.

## THE STATUTE.

*An Act to empower County Councils to promote Bills in Parliament.*—[21st July, 1903.]

Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parlia-

ment assembled, and by the authority of the same, as follows :

1. *Power to county council to promote Bills in Parliament*—51 & 52 Vict. c. 41.—(1) The powers conferred by section fifteen of the Local Government Act, 1888, on the council of a county to oppose Bills in Parliament<sup>(1)</sup> shall be extended so as to authorise them to promote Bills as well as to oppose them.

(2) The county council may determine that any expenses incurred in pursuance of section fifteen of the Local Government Act, 1888, as amended by this Act, are to be regarded as incurred for special county purposes, but any such determination shall be forthwith notified to the overseers of any parish liable to be assessed in pursuance of such determination, and shall be subject to appeal, within twenty-one days, at the instance of the overseers of any parish so liable, to the Local Government Board, whose decision shall be final.

(3) For the purpose of deciding any such appeal, sub-sections (1)<sup>(2)</sup> and (5)<sup>(3)</sup> of section eighty-seven of the Local Government Act, 1888 (which relate to local inquiries), shall apply.

(4) The powers conferred by this section shall be in addition to, and not in derogation of, any powers possessed by the London County Council.

(5) Proviso (b) to section fifteen<sup>(4)</sup> of the Local Govern-

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(1) That section empowers a county council to oppose Bills in Parliament, without the consent of owners and ratepayers made necessary for other "governing bodies" required by the Borough Funds Act, 1872 (35 & 36 Vict. c. 91), applying the Local Government Act, 1858 (21 & 22 Vict. c. 98).

(2) That sub-section applies sects. 293-296 of the Public Health Act, 1875 (38 & 39 Vict. c. 55), to the holding of inquiries.

(3) That sub-section provides that the cost of an inquiry shall be paid by the council.

(4) That proviso prohibits a county council from promoting any Bill in Parliament, and from incurring any expense in relation thereto.

ment Act, 1888, which relates to the promotion of Bills in Parliament by a county council, is hereby repealed.

2. *Amendment of Local Government (Scotland) Act, 1889—52 & 53 Vict. c. 50—62 & 63 Vict. c. 47.*—Notwithstanding any provision to the contrary therein contained, the powers conferred on the council of a county in Scotland by section fifty-six of the Local Government (Scotland) Act, 1889, as read with sub-section (1) of section eleven of the Private Legislation Procedure (Scotland) Act, 1899, shall be extended so as to authorise such council to promote Provisional Orders or Bills under or in pursuance of the last-mentioned Act as well as to oppose them. Section one of this Act shall not apply to Scotland.

3. *Short title and commencement.*—(1) This Act may be cited as “The County Councils (Bills in Parliament) Act, 1903.”

(2) It shall come into operation on the first day of October nineteen hundred and three.

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## EDUCATION (PROVISION OF WORKING BALANCES) ACT, 1903.

3 EDW. 7, CAP. 10.

*An Act to provide for the borrowing by Local Education Authorities for certain purposes.*—[21st July, 1903.]

Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. *Provision of working balance by borrowing* —  
2 *Edw. 7, c. 42.*—A local education authority may, with the consent or sanction of the Local Government Board,

borrow under section nineteen<sup>(1)</sup> of the Education Act, 1902, or in such other manner as that Board may approve, such sums as in the opinion of that Board are required to provide a working balance for carrying that Act into effect, and the consent or sanction or approval so given shall be conclusive as to the power of the local education authority to borrow.

2. *Short title.*—This Act may be cited as “The Education (Provision of Working Balances) Act, 1903.”

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## CONTRACTS (INDIA OFFICE) ACT, 1903.

3 EDW. 7, CAP. 11.

*An Act to remove Doubts as to the Mode of Execution of certain Contracts entered into on behalf of the Secretary of State for India in Council. — [21st July, 1903.]*

Whereas doubts have arisen as to the proper mode of the execution of certain contracts on behalf of the Secretary of State in Council, and it is expedient that such doubts should be removed :

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. *Definition.*—The expression “the Secretary of State” means the Secretary of State in Council of India.

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(1) That section provides that, for the purposes of that Act, a county council may borrow as under the Local Government Act, 1888, and a borough or urban district council as under the Public Health Acts, and also that money so borrowed shall not be reckoned as part of the total debt, as regards the limitations on borrowing contained in those Acts.



*2. Mode of executing contracts—22 & 23 Vict. c. 41.—*

(1) Every contract for or relating to the manufacture, sale, purchase, or supply of goods, or for or relating to affreightment or the carriage of goods, or to insurance, may be entered into, made, and signed on behalf of the Secretary of State by any person upon the permanent establishment of the Secretary of State, duly empowered by the Secretary of State in this behalf, subject to such rules and restrictions as the Secretary of State may from time to time prescribe. And contracts so entered into, made, and signed shall be as valid and effectual as if entered into as prescribed by the fifth section of the Government of India Act, 1859.<sup>(2)</sup>

*3. Contracts to be laid before the Secretary of State.—*

Particulars of all contracts so entered into as aforesaid shall be laid before the Secretary of State in such manner and form and within such times as the Secretary of State may from time to time prescribe.

*4. Short title.—*This Act may be cited as “The Contracts (India Office) Act, 1903.”

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## POST OFFICE (MONEY ORDERS) ACT, 1903.

3 EDW. 7, CAP. 12.

*An Act to enable the Postmaster-General to issue Postal Orders of the value of Twenty-one Shillings. —*  
[21st July, 1903.]

Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual

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(1) It will be observed that this section is limited to contracts dealing with stores.

(2) That section prescribed that all contracts in writing entered into by the Secretary of State in Council, with the concurrence of a majority of votes at a meeting, may be made under the hands or seals, or under the hands only, of two members of the Council.

and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. *Alteration of maximum amount of postal orders*—43 & 44 Vict. c. 33—46 & 47 Vict. c. 58.—The maximum amount of an order issued in pursuance of the Post Office (Money Orders)<sup>(1)</sup> Act, 1880, as amended by the Post Office (Money Orders) Act, 1883, shall be twenty-one shillings, and accordingly “twenty-one” shall be substituted for “twenty” in section two<sup>(2)</sup> of the last-mentioned Act.

2. *Short title*.—This Act may be cited as “The Post Office (Money Orders) Act, 1903,” and may be cited with the Post Office Acts, 1837 to 1898, and may be cited with and shall be construed as one with the Post Office (Money Orders) Acts, 1848 to 1883.

## ELEMENTARY EDUCATION AMENDMENT ACT, 1903.

3 EDW. 7, CAP. 13.

*An Act to amend the Elementary Education (Defective and Epileptic Children) Act, 1899.*—[21st July, 1903.]

Be it enacted by the King’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. *Amendment of the Elementary Education (Defective and Epileptic Children) Act, 1899*—62 & 63 Vict. c. 32, s. 2 (6).—(1) Notwithstanding anything contained in the Elementary Education (Defective and Epileptic Children)

(1) Though “money orders” is used in the short title, as also in the short title of the two Acts which are amended by this statute, what the statute really deals with is “postal orders,” i.e., orders for a specified sum.

(2) That section provides that a postal order shall be for the prescribed amount not exceeding 20s.

Act, 1899, section two (6),<sup>(1)</sup> the Board of Education may from time to time make rules for certifying any establishment for boarding and lodging defective or epileptic children, although such establishment may be established for boarding and lodging more than fifteen defective or epileptic children in one building, or may comprise more than four such buildings.

(2) All rules made in pursuance of this Act shall be laid before both Houses of Parliament within three weeks after the same have been made, if Parliament be then sitting, or, if Parliament be not then sitting, within three weeks of the session then next ensuing, and, if any such rules are disapproved of by either House of Parliament within thirty days after the same have been so laid before Parliament, such rules, or such part thereof as may be so disapproved, shall thereupon become void and of no effect.

2. *Short title.*—This Act may be cited as “The Elementary Education Amendment Act, 1903.”

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## BOROUGH FUNDS ACT, 1903.

3 EDW. 7, CAP. 14.

Sect.

### SUMMARY

1. Expense of promoting Bills.
2. Withdrawal of Bill, or part, in case of adverse poll.
3. Expenses when Bill is withdrawn.
4. Saving for special Acts.
5. Offences in relation to polls.
6. Non-compliance with procedure.
7. Expenses of opposing Bills.

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(1) That sub-section prohibits the Education Department from certifying any establishment established after the commencement of the Act (9th August, 1899) for boarding and lodging more than fifteen defective or epileptic children in one building, or comprising more than four such buildings.

Sect.

8. Transfer to Local Government Board of certain powers of Secretary of State.
  9. Definitions.
  10. Repeals.
  11. Extent of Act.
  12. Short title and commencement.
- Schedules.

## INTRODUCTION.

The object of this statute is not clearly expressed by its title. The Borough Funds Act, 1872 (35 & 36 Vict. c. 91), which it purports to amend, enabled the councils of boroughs and urban districts to charge upon the rates the expenses of promoting or opposing Bills in Parliament, and also of conducting certain legal proceedings, subject to a cumbrous method of obtaining the consent of owners and ratepayers, which was adapted from the procedure provided for other purposes in the Local Government Act, 1858 (21 & 22 Vict. c. 98).

The councils of boroughs and urban districts are now left entirely free to oppose Bills in Parliament at their discretion (sect. 7, sub-sect. 1). With regard to the promotion of Bills, an elaborate method of obtaining the consent of the electors is provided in regulations (Schedule I.). The benefits of the statute are extended to metropolitan boroughs, which were excluded from the Act of 1872. The powers that might under that Act be exercised by the Home Secretary are transferred to the Local Government Board (sect. 8), and a series of offences in connection with voting are specified (sect. 5).

## THE STATUTE.

*An Act to amend the Borough Funds Act, 1872.—*  
[11th August, 1903.]

Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present

Parliament assembled, and by the authority of the same, as follows :

1. *Expense of promoting Bills*—35 & 36 Vict. c. 91.—No expense in relation to the promotion<sup>(1)</sup> of a Bill in Parliament shall be charged by the council of a borough<sup>(2)</sup> or urban district under the Borough Funds Act, 1872, unless the requirements contained in the First Schedule to this Act have been observed.

2. *Withdrawal of Bill, or part, in case of adverse poll*.—(1) If the result of a poll under this Act, or the decision of a meeting of electors<sup>(3)</sup> when final,<sup>(4)</sup> is against the promotion of the Bill, or of a part or parts, or clause or clauses, of the Bill, the council shall forthwith take all necessary steps to withdraw the Bill, or the part or parts, or clause or clauses (as the case may be), against which the poll has resulted or the decision of the meeting has been given.

(2) In the case of equality of votes on any question of promotion, that question shall be deemed to be decided against the promotion.

3. *Expenses when Bill is withdrawn*—35 & 36 Vict. c. 91.—Where a Bill, or a part or parts, or clause or clauses, of a Bill, is or are withdrawn, no further expense shall be incurred by the council, or mayor or chairman, in or about the promotion of the Bill, or

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(1) By the effect of sect. 7, sub-sect. 1 (*post*, p. 23), the council is now free to oppose a Bill without any restriction. Under the Act of 1872 the same restrictions were imposed upon opposing as upon promoting a Bill.

(2) By sect. 9 (*post*, p. 23), “borough” is interpreted to include a metropolitan borough.

(3) By sect. 9 (*post*, p. 23), “electors” is interpreted to mean the parochial electors for the time being enrolled in the register of parochial electors in force for the parishes of a borough or urban district.

(4) Under Schedule I., paragraph 5 (*post*), the decision of a meeting of electors is final when no poll is demanded.

part or parts, or clause or clauses, so withdrawn, but, subject as aforesaid, all costs, charges, and expenses incurred by the council, or mayor or chairman, in or as incidental to the preparation and promotion of the Bill up to and inclusive of its deposit in Parliament and withdrawal (if withdrawn), and in or as incidental to the holding of a meeting or the taking of a poll under this Act, shall, when taxed by a taxing officer of one of the Houses of Parliament, and allowed under the Borough Funds Act, 1872,<sup>(5)</sup> be charged on and payable out of such one or more of the public funds or rates under the control of the council (and, if more than one, then in such proportions) as the council, having regard to the nature and objects of the Bill, may determine to be just and proper.<sup>(6)</sup>

4. *Saving for Special Acts.*—(7) Nothing in this Act shall extend or be construed to alter or affect any special provision in any local Act for the payment of the costs, charges, and expenses in relation to the promotion by any council of a Bill in Parliament, or to take away or diminish any rights or powers now possessed or enjoyed by any council, or which are or shall be vested in or exercisable by the inhabitants of the district of any council under any general or special Act, but the council may, if they think fit, adopt with respect to the promotion of any Bill the procedure provided by this Act in lieu of that provided by their local Act.

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(<sup>5</sup>) Under sect. 6 of that Act, as amended by the present statute, this means "allowed by some person to be authorised by the Local Government Board."

(<sup>6</sup>) This provision as to the funds out of which the expenses are payable substantially repeats that contained in sect. 2 of the Act of 1872; but in that Act there is nothing about taxing the costs.

(<sup>7</sup>) This section substantially repeats sect. 8 of the Act of 1872, except for the proviso at the end, which is new.

5. *Offences in relation to polla.*—(1) Any person who at, or for the purposes of, a poll under this Act—

- (i) fraudulently signs or forges any signature to a requisition of electors under this Act ; or
- (ii) applies for a voting paper in the name of some other person, whether that name be the name of a person living or dead, or of a fictitious person ; or
- (iii) having voted once, applies for a second voting paper in his own name ; or
- (iv) forges or counterfeits, or fraudulently defaces or fraudulently destroys any voting paper ; or
- (v) without due authority supplies a voting paper to any person ; or
- (vi) fraudulently puts into any box or other receptacle any paper other than a voting paper supplied to him for the purpose ; or
- (vii) fraudulently takes out of the polling station any voting paper ; or
- (viii) without due authority destroys, takes, opens, or otherwise interferes with any box or other receptacle for voting papers or any voting papers then in use ; or
- (ix) causes any disturbance or disorder in or near any polling station ;

shall be liable on summary conviction to a fine not exceeding twenty pounds.

(2) An attempt to commit any offence specified in this section shall be punishable in the manner in which the offence is punishable.

6. *Non-compliance with procedure.*—The failure to comply with the requirements of this Act as to notices or the time within which anything is to be done, or the procedure at a meeting of electors or the mode of taking a poll, shall not render invalid the charge under the

Borough Funds Act, 1872, or this Act of any expenses in relation to the promotion of a Bill, if the provisions of this Act have been substantially complied with and the failure has not affected the result of the proceedings under this Act.

7. *Expenses of opposing Bills*—54 Vict. c. 12.—(1) The provision contained in section four of the Borough Funds Act, 1872, that no expense in opposing a Bill in Parliament shall be charged unless the opposition has had the consent of the owners and ratepayers of the district, shall cease to apply.<sup>(8)</sup>

(2) In section one of the Railway and Canal Traffic (Provisional Orders) Amendment Act, 1891, references to the Borough Funds Act shall be construed and have effect as references to the Borough Funds Act, 1872, as amended by this Act.

8. *Transfer to Local Government Board of certain powers of Secretary of State*.—The powers conferred upon the Secretary of State by the Borough Funds Act, 1872,<sup>(9)</sup> or by virtue of any extension or application of that Act, shall be transferred to and exercised by the Local Government Board.

9. *Definitions*.—For the purposes of this Act, the expression “council” includes the council of every borough and of every urban district, the expression “borough” includes a metropolitan borough,<sup>(10)</sup> and the expression “electors” means the parochial electors for the time being enrolled in the register of parochial electors in force for the parishes in a borough or urban district, and the expression “the mayor or chairman”

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(<sup>8</sup>) This provision is expressly repealed by sect. 10 and Schedule II. (*post*).

(<sup>9</sup>) The provisions in that Act relating to the Secretary of State, contained in sects. 5, 6, and 7, are expressly repealed.

(<sup>10</sup>) The provision in the Act of 1872 excluding the metropolitan area is expressly repealed.



means the mayor of the borough or the chairman of the urban district council.

10. *Repeals*.—The enactments specified in the Second Schedule to this Act are hereby repealed to the extent mentioned in the third column of that schedule.

11. *Extent of Act*.—This Act shall not extend to Scotland or Ireland.

12. *Short title and commencement*.—(1) This Act may be cited as “The Borough Funds Act, 1903,” and the Borough Funds Act, 1872, and this Act may be cited together as “The Borough Funds Acts, 1872 and 1903.”

(2) This Act shall come into operation on the first day of October nineteen hundred and three.

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### FIRST SCHEDULE.

#### REGULATIONS FOR MEETING AND POLLING OF ELECTORS.

(1) 35 & 36 *Vict. c. 91*.—Where the council of a borough or urban district have resolved, in accordance with the provisions of the Borough Funds Act, 1872,<sup>(11)</sup> to promote a Bill in Parliament, and the Bill has been deposited, notice shall be given by placards and by advertisement in some local newspaper circulating in the borough or district in two successive weeks stating—

- (a) the title of the Bill; and
- (b) a brief statement of the objects of the Bill;
- (c) that the Bill has been deposited, and the date on which it was first deposited in either House; and

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<sup>(11)</sup> That is to say, according to sect. 4 of that Act, in pursuance of a resolution of an absolute majority of the whole number of the council at a special meeting of the council, after ten days' notice by advertisement in a local newspaper of such meeting and the purpose thereof. Such resolution is also required to be published twice in a local newspaper and to receive the approval of the Local Government Board. The propriety of promoting the Bill must also be confirmed by a majority of the council at a special meeting held fourteen days after deposit of the Bill.

(d) that copies of the Bill may be inspected and purchased at a place within the borough or district specified in the notice, between the hours of ten in the forenoon and five in the afternoon, on every week day for fourteen days after the date of the first advertisement, and that extracts may be taken free of charge ; and

(e) that a public meeting of electors will be held on a day named, not being less than fourteen nor more than twenty-eight days after the first advertisement of the notice, for the purpose of considering the question of the promotion of the Bill, and indicating the resolutions which will be submitted to the meeting.

(2) The first advertisement under these regulations must be made within seven days from the first deposit of the Bill in either House, and the placards giving notice under these regulations must be posted within the same time.

(3) A public meeting of electors shall be held in accordance with the notice, and the mayor or chairman,<sup>(12)</sup> or, in the event of his being unable or unwilling to preside, any person appointed by the council to perform that duty, shall be president of the meeting ; but, if neither the mayor or chairman, nor the person so appointed, is present within ten minutes after the time appointed for the meeting, the meeting shall choose an elector present at the meeting to be president of the meeting.

(4) The president of the meeting may, with the consent of the majority of the electors present, adjourn the meeting for not more than seven days.

(5) On opening any such meeting the president of the meeting, or a member or officer of the council, shall give such explanation of the Bill with reference to which the meeting is held as he thinks expedient.

(6)—(a) The question of the promotion of the Bill shall be put by the president to the meeting either by a single resolution in favour of the promotion of the whole Bill, or by separate resolutions in favour of the promotion of any part or parts or clause or clauses of the Bill, but together covering the promotion of the whole Bill, and the meeting shall decide for or against any such resolution.

(b) The president shall explain to the meeting the resolution or resolutions he proposes to put to the meeting, and the question of the promotion of the Bill shall be put in the manner proposed ;

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<sup>(12)</sup> By sect. 9 (*ante*), "chairman" is interpreted to mean "chairman of an urban district council."

Provided that, if, before any such resolution is put, the meeting decide to request the president to put separately any resolution or resolutions in favour of the promotion of any part or parts or clause or clauses of the Bill not proposed by him to be put separately, he shall put such further or other resolution or resolutions to the meeting as will, consistently with the provisions of this schedule, give effect to that request.

(7) Unless a poll is required in manner provided by this schedule, with respect to any resolution for promotion put to the meeting, the decision of the meeting on that resolution, as declared by the president of the meeting, shall be final.

(8) <sup>(13)</sup>A poll may be required with respect to any such resolution by not less than one hundred electors, or one-twentieth in number of the electors, whichever may be the less, and, if the decision of the meeting on the resolution is against the resolution, by the council.

(9) A requisition for a poll by electors must be in writing signed by the persons making it, and must be delivered to the mayor or chairman within seven days after the date of the meeting or any adjournment thereof.

(10) A requisition for a poll by the council must be authorised by a resolution of the council, and a copy of the resolution must be delivered to the mayor or chairman within seven days after the meeting or any adjournment thereof. Provided that, if the regulations governing the meetings of the council do not permit of an ordinary meeting of the council being held within the said seven days, the time for the delivery of a copy of the resolution shall be within three days after the date on which an ordinary meeting of the council can first be held subsequently to the date of the meeting of the electors or any adjournment thereof.

(11) The mayor or chairman shall proceed to take the opinion by poll of the electors on the resolution to which any requisition relates, unless a poll is rendered unnecessary by the withdrawal of the requisition for a poll or by a resolution of the council withdrawing the Bill, or the part or parts or clause or clauses to which the resolution with reference to which the poll is required relates.

(12) The polls on any number of resolutions may be taken at the same time and by means of the same voting paper.

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<sup>(13)</sup> Under sect. 13, sub-sect. 4 of the Local Government Act, 1858 (21 & 22 Vict. c. 98), it was open to a single owner or ratepayer to demand a poll.

(13) The mayor or chairman shall count, or cause to be counted, the votes given at a poll under this schedule, and shall as soon as practicable declare the result.

(14) The decision of the mayor or chairman on any question arising in respect of any voting paper shall be final.

(15) Where the mayor or chairman is unable or unwilling to perform any duty or do any act or thing with respect to a poll under this schedule, the council shall appoint some other person to perform the duty or do such act or thing.

(16) Subject to the provisions of this schedule the poll shall be taken in accordance with such regulations as may be prescribed by the Local Government Board, and the Local Government Board may prescribe forms for requisitions, voting papers, notices, and other documents under this schedule, and those forms, or forms to the like effect, shall be used.

## SECOND SCHEDULE.

### ENACTMENTS REPEALED AS TO ENGLAND.

| Session and Chapter.    | Short Title                 | Extent of Repeal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-------------------------|-----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 35 & 36 Vict.<br>c. 91. | The Borough Funds Act 1872. | <p>In section four, the words from "Provided further" to the end of the section.</p> <p>In section five, the words "or one of Her Majesty's principal Secretaries of State, as the case may be," and the words "or Secretary of State."</p> <p>In section six, the words "by one of Her Majesty's principal Secretaries of State, or" and the words "as the case may be."</p> <p>In section seven, the words "or one of Her Majesty's principal Secretaries of State."</p> <p>In section eleven, the words "or the metropolitan area as defined by the Metropolis Management Act, 1855."</p> |

## LOCAL GOVERNMENT (TRANSFER OF POWERS) ACT, 1903.

3 EDW. 7, CAP. 15.

*An Act to amend section ten of the Local Government Act, 1888.*—[11th August, 1903.]

Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. *Construction of 51 & 52 Vict. c. 41, s. 10.*—(1) Section ten of the Local Government Act, 1888, in so far as it authorises the transfer to county councils of certain powers, duties, and liabilities of Government Departments,<sup>(1)</sup> shall be construed as authorising the transfer by Provisional Order<sup>(2)</sup> of all or any of those powers, duties, or liabilities to the council of a particular county or county borough, as well as to such councils generally.

(2) A Provisional Order shall not be made under this section except on the application of the council of a county or county borough.

(3) Where the Local Government Board propose to make a Provisional Order under this section transferring any power, duty, or liability to the council of a county or county borough, the Board shall give notice to all

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(<sup>1</sup>) These are specified in that section as "any such powers, duties, and liabilities of Her Majesty's Privy Council, a Secretary of State, the Board of Trade, the Local Government Board, or the Education Department, or any other Government department, as are conferred by or in pursuance of any statute, and appear to relate to matters arising within the county, and to be of an administrative character."

(<sup>2</sup>) By sub-sect. 4 of the above-mentioned section, the Act of Parliament confirming such a provisional order is made a public general Act.

local authorities<sup>(3)</sup> who, in the opinion of the Board, are likely to be affected by the transfer, and if, within such time as the Board prescribe, a majority of those authorities notify to the Board that they object to any such proposed transfer, the Order shall not be proceeded with so far as relates to that transfer, but without prejudice to the power of the Board to propose a new Order.

(4) For the purposes of this Act, the expression "local authorities" means the following local authorities, namely, the council of a borough or other urban district, a rural district council, a board of guardians, a metropolitan borough council, and the Common Council of the City of London.

2. *Short title.*—This Act may be cited as "The Local Government (Transfer of Powers) Act, 1903."

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### 3 EDW. 7, CAP. 16.

*An Act for the acquisition of certain land in Dublin as a site for a proposed Royal College of Science and other offices and buildings for the public service, and for purposes connected therewith.*—[11th August, 1903.]

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## METROPOLITAN STREETS ACT, 1903.

### 3 EDW. 7, CAP. 17.

*An Act to amend the Metropolitan Streets Act, 1867.*—  
[11th August, 1903.]

Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. *Regulation of street collections*—30 & 31 Vict. c. 134.—

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(3) "Local authorities" are defined in sub-sect. 4 (*infra*).

The power to make regulations conferred by section eleven of the Metropolitan Streets Act, 1867,<sup>(1)</sup> shall extend to the making of regulations to be observed by all persons within the general limits of that Act with respect to the places where and the conditions under which persons may collect money in any street for charitable or other purposes.

2. *Short title and construction*—30 & 31 Vict. c. 134—31 & 32 Vict. c. 5—48 & 49 Vict. c. 18.—This Act may be cited as “The Metropolitan Streets Act, 1903,” and shall be construed as one with the Metropolitan Streets Act, 1867, the Metropolitan Streets Act Amendment Act, 1867, and the Metropolitan Streets Act, 1885; and those Acts and this Act may be cited together as “The Metropolitan Streets Acts, 1867 to 1903.”

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## PISTOLS ACT, 1903

3 EDW. 7, CAP. 18.

### INTRODUCTION.

The dangerous accidents and also the encouragement to crime that result from the unrestricted sale of pistols and from the inadequate restrictions upon their use have at last attracted the attention of Parliament. The present statute, which is of a very stringent nature, was introduced by a private member, and its ambiguous language will probably give occasion to some difficulty of interpretation.

In the first place, it must be remarked that pistols and revolvers are of course “guns” within the meaning of the Gun Licence Act, 1870 (33 & 34 Vict. c. 57), and

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(1) That section empowers the Commissioner of Police, with the approval of the Secretary of State, and the Commissioners of City Police, with the consent of the Court of Mayor and Aldermen, and subject to the approval of the Secretary of State, to make regulations with regard to certain matters there specified.

consequently an annual licence of 10s. is required by all persons using or carrying them who do not fall within the classes specially exempted from the penalty imposed by sect. 7 of that Act. But it is notorious that that Act, which is primarily of a fiscal character, has always been negligently enforced, even in the case of guns proper; and its enforcement is manifestly more difficult in the case of pistols. No change is made in the Gun Licence Act, 1870, as regards pistols, except that the using or carrying of a pistol by a person under 18 is subject to a penalty of 40s.; but the exemptions contained in sect. 7 of that Act are maintained even in this case.

The chief remedy provided by this statute is the enactment of severe restrictions upon the sale and hiring of pistols. By sect. 3 it is made illegal to sell (either retail or by auction) or to let on hire a pistol to any person who cannot produce reasonable proof that he comes under one of several classes who alone are entitled to purchase or hire a pistol. It is probable that this restriction will seriously interfere with the sale of pistols by auction, and it is doubtful whether it does not apply to retail transactions between one dealer and another. It will certainly apply to a sale from one private person to another. The classes of persons entitled to purchase or hire a pistol are four in number: (1) those who not only possess but also produce at the time a gun or game licence then in force; (2) those who are exempted from the penalty imposed by sect. 7 of the Gun Licence Act, 1870, for using or carrying a gun without licence; (3) a householder who gives reasonable proof that he purposes to use the pistol only in his own house or the curtilage thereof; (4) a person who is about to proceed abroad for not less than six months, and who produces a statement to that effect signed by himself and countersigned by an inspector of police or justice of the peace. Among those exempted by sect. 7 of the Act of 1870, the most important class



are persons in the naval, military, or volunteer service; but it is apprehended that this would not include members of rifle clubs or private persons who may desire to take part in revolver competitions at Bisley. It should also be observed that, while no gun licence is required for using or carrying a gun within a dwelling-house or the curtilage thereof, the corresponding privilege for purchasing or hiring a pistol is limited to a householder within his own house.

By the same sect. (3), every person who sells by retail or lets on hire a pistol is required to make an entry in a book kept for the purpose (*quære*, how far is this applicable to a sale between two private persons, or indeed to any person who is not a dealer in firearms?) of a number of details regarding the pistol and the purchaser or hirer. But it is not required, as in the case of the sale of poisons, that the entry should be signed by the purchaser.

By sect. 4, relating to persons under eighteen, it is not only provided (as mentioned above) that they may not use or carry a pistol, but they are also prohibited from buying or hiring one, and a penalty is imposed upon any person who knowingly sells or "delivers" a pistol to them. The ambiguity of this word "delivers" is commented on by the Editor in a footnote. By sect. 5, a yet heavier penalty, which may consist of imprisonment for three months, is imposed upon anyone who knowingly sells a pistol to any person who is intoxicated or who is not of sound mind.

#### THE STATUTE

*An Act to regulate the sale and use of Pistols or other Firearms.*—[11th August, 1903.]

Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same as follows :

1. *Short title.*—This Act may be cited as “The Pistols Act, 1903.”

2. <sup>(1)</sup>*Definition of terms*—33 & 34 Vict. c. 57.—In this Act the term “pistol” means a firearm or other weapon of any description<sup>(2)</sup> from which any shot, bullet, or other missile can be discharged, and of which the length of barrel, not including any revolving detachable or magazine breach, does not exceed nine inches.

The term “gun or game licence” means a licence to use or carry a gun granted under the Gun Licence Act, 1870, or a licence or certificate to kill game granted under the laws of excise in that behalf.

The term “antique pistol”<sup>(3)</sup> shall not include any pistol with which ammunition is sold, or which there is reasonable ground for believing is capable of being effectually used.

3. *Sale or hire of pistols.*—It shall be unlawful to sell by retail,<sup>(4)</sup> or by auction, or let on hire a pistol to any person, unless at the time of sale or hire such person either produces a gun or game licence then in force, or gives reasonable proof that he is a person entitled to use or carry a gun without a gun or game licence by virtue of section seven<sup>(5)</sup> of the Gun Licence Act, 1870, or that, being

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<sup>(1)</sup> By sect. 2 of the Gun Licence Act, 1870 (33 & 34 Vict. c. 57), the term “gun” is interpreted to include “a firearm of every description, and an air gun or any other kind of gun from which any shot, bullet, or other missile can be discharged.”

<sup>(2)</sup> *Quære*, does this include a toy cannon fired by a spring, or a pop-gun, or a pea-shooter, or a small weapon with a barrel under nine inches of the nature of a cross-bow?

<sup>(3)</sup> By sect. 8 (*post*), the provisions of this Act do not apply where an “antique pistol” is sold as a curiosity or ornament.

<sup>(4)</sup> *Quære*, does this include the case of one dealer selling a single pistol to another dealer in the ordinary course of trade?

<sup>(5)</sup> Strictly speaking, this phraseology is not correct. By sect. 7 of the Gun Licence Act, 1870, a penalty of £10 is imposed upon any person using or carrying a gun elsewhere than in a

a householder, he purposes to use such pistol only in his own house or the curtilage thereof,<sup>(6)</sup> or that he is about to proceed abroad for a period of not less than six months, and produces a statement to that effect,<sup>(7)</sup> signed by himself and by a police officer of the district within which he resides, of rank not lower than that of inspector, or by himself and by a justice of the peace.

Every person who sells by retail<sup>(8)</sup> or lets on hire a pistol shall, before delivery, make, or cause to be made, an entry in a book to be kept for that purpose,<sup>(9)</sup> specifying the description of the pistol, whether single barrel, magazine, revolver, pin, rim, or centre fire, sold or let on hire, the date of such sale or hire, the name and address of the

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dwelling-house or the curtilage thereof without a licence. But by a proviso to that section the following classes of persons are exempted from the penalty (*not* relieved from the licence): (1) Persons in the naval, military, or volunteer service, or in the police, but then only when in the performance of duty or engaged in target practice; (2) persons having a licence or certificate to kill game; (3) persons carrying a gun that belongs to others who have a licence or game certificate; (4) the occupier of lands for the purpose of scaring birds or killing vermin, and any person employed by the occupier for the same purpose, provided that the occupier has a licence or game certificate; (5) a gunsmith or his servant carrying a gun in the course of trade, or using it by way of testing; (6) any person carrying a gun as a common carrier.

(<sup>6</sup>) Under sect. 7 of the Gun Licence Act (*supra*) a licence is not required for using or carrying a gun in a dwelling-house or the curtilage thereof; but that privilege is not confined, as here, to the householder alone in his own house.

(<sup>7</sup>) Presumably this only applies to the case of proceeding abroad for six months, of which it is already required that reasonable proof should be given.

(<sup>8</sup>) It will be observed that this paragraph does not apply to sale by auction.

(<sup>9</sup>) Under the corresponding restriction on the sale of poisons in the Pharmacy Act, 1868 (31 & 32 Vict. c. 121, sect. 17), it is required that the entry in the book should be signed by the purchaser.

purchaser or hirer, and the office from which the gun or game licence produced by the purchaser was issued, the date of such licence, or the circumstances exempting such purchaser or hirer from having such licence. Such book must be produced for inspection on the request of any officer of police, or any officer of Inland Revenue.

If any person—

- (a) Contravenes any of the foregoing provisions of this section; or
- (b) On the sale, purchase, or hire of a pistol knowingly makes, or causes to be made, any false entry or statement as to any matter concerning which he is required by this section to make an entry or statement,

he shall be liable to a penalty not exceeding five pounds.

4. *Persons under eighteen years.*—Any person who, being under the age of eighteen years, and not being exempt by virtue of section seven of the Gun Licence Act, 1870, from incurring a penalty for using or carrying a gun without a gun or game licence,<sup>(10)</sup> buys, hires, uses, or carries a pistol, shall be liable to a penalty not exceeding forty shillings, and any person who knowingly sells or delivers<sup>(11)</sup> a pistol to any person under such age, and not being so exempt, shall be liable to a penalty not exceeding five pounds.

The court may make such order as to the forfeiture or disposal of any pistol found in the possession of a person being under the age of eighteen years, and liable to a penalty under this Act, as to the court may seem fit.

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<sup>(10)</sup> It will be observed that the phraseology here, in so far as it differs from the corresponding phraseology in sect. 3 (*ante*), correctly follows the provisions of the Gun Licence Act, 1870.

<sup>(11)</sup> *Quære*, does this mean deliver in course of sale or hiring, as the word “delivery” is used above near the beginning of the second paragraph of sect. 3; or does it mean “hand over” in the literal sense, without any previous bargain for sale or hire?

5. *Sale of pistols to insane or intoxicated person.*—Any person who shall knowingly sell<sup>(12)</sup> a pistol to any person who is intoxicated or is not of sound mind shall be liable to a penalty not exceeding twenty-five pounds, or to be imprisoned with or without hard labour for a period not exceeding three months.

6. *Proceedings in court of summary jurisdiction.*—Any offence against this Act may be prosecuted, and any fine in respect thereof may be recovered, and any summary order under this Act may be made, in manner provided by the Summary Jurisdiction Acts.

7. *Legal proceedings in Scotland.*—For the purposes of the application of this Act to Scotland any offence against this Act may be prosecuted, and any fine in respect thereof may be recovered, and any summary order under this Act may be made, in manner provided by the Summary Jurisdiction (Scotland) Acts.

8. *Pistols as curiosities or ornaments.*—The provisions of this Act shall not apply where an antique pistol<sup>(13)</sup> is sold as a curiosity or ornament.

9. *Extent of Act.*—This Act shall not apply to Ireland.

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## POOR LAW (DISSOLUTION OF SCHOOL DISTRICTS AND ADJUSTMENTS) ACT, 1903.

3 EDW. 7, CAP. 19.

*An Act to give power to dissolve School Districts formed under the Acts relating to the relief of the poor, and for facilitating adjustments on alterations of areas or authorities under those Acts.*—[11th August, 1903.]

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(12) This clause does not extend to hiring.

(13) By sect. 2 (*ante*) “antique pistol” is interpreted not to include any pistol with which ammunition is sold, or which there is reasonable ground for believing is capable of being effectually used.

Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. *Power to dissolve school districts*—32 & 33 Vict. c. 63—7 & 8 Vict. c. 101.—Section one of the Metropolitan Poor Amendment Act, 1869 (which relates to the dissolution of school districts),<sup>(1)</sup> shall extend to all school districts formed under section forty<sup>(2)</sup> of the Poor Law Amendment Act, 1844, whether contained wholly or partly in the metropolis or not.

2. *Adjustments on alteration of areas or authorities*—51 & 52 Vict. c. 41—33 & 34 Vict. c. 2.—(1) Agreements may be made by any boards of guardians or other authorities affected by the alteration under this Act, or under any Act relating to the relief of the poor, of any areas or authorities, for the adjustment of any property, income, debts, liabilities, and expenses, so far as they are affected by the alteration, and section sixty-two<sup>(3)</sup> of the Local Government Act, 1888, shall apply with respect to any such adjustment with the modification specified in the First Schedule to this Act.

(2) The making of any agreements and the carrying out of any agreements or awards made in pursuance of this section shall be a purpose for which persons shall continue in office under section one<sup>(4)</sup> of the Dissolved Boards of Management and Guardians Act, 1870.

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(1) That Act relates only to the dissolution of school districts contained wholly or partly within the metropolis.

(2) That section empowered the Poor Law Commissioners (now the Local Government Board) to combine unions and parishes into school districts for the management of infant children who are orphans, or chargeable, or whose parents consent.

(3) That section authorises arbitration in default of agreement.

(4) Under that section guardians and managers are continued in office for the purpose of winding up accounts, but only for

3. *Repeal.*—The enactments specified in the Second Schedule to this Act are hereby repealed to the extent mentioned in the third column of that Schedule.

4. *Short title.*—This Act may be cited as “The Poor Law (Dissolution of School Districts and Adjustments) Act, 1903.”

#### FIRST SCHEDULE.

##### MODIFICATIONS OF SECTION 62 OF THE LOCAL GOVERNMENT ACT, 1888.

1. Sub-section one shall have effect as if the following provision were added thereto :

“Where any guardians or managers are interested, any agreement for the joint use of any property shall be subject to the approval of the Local Government Board.”

2. Sub-section five shall be construed as if the words “any fund which in pursuance of the Acts relating to the relief of the poor would be or might be made available for defraying the like expenditure” were substituted for the words “the county or borough fund.”

3. The following provision shall be substituted for sub-section six, so far as respects guardians or managers :

“(6) Where any guardians or managers are interested, the payment of any capital sum by those guardians or managers shall be a purpose for which they may borrow under the Acts relating to the relief of the poor, and any such sum may be borrowed without the consent of any authority, so that it be repaid within such period as the Local Government Board sanction,” and sub-section seven shall have effect as if the word “council” included any guardians, managers, or other authority.

4. The section shall have effect as if the following provisions were added thereto :—

“(8) If it is necessary for the purpose of giving effect to any agreement or award for an adjustment under this Act that a separate rate should be levied in part of a parish only, the agreement or award may authorise the making of such a separate rate as if it were a poor rate, and as if the part of the parish on which it is to be levied were a whole parish.

“(9) Any councils or other authorities shall have power to dispose of any property in the manner provided for by any

twelve months, unless prolonged by the Local Government Board.

agreement or award under this Act, without any authority or direction from the Local Government Board, except as expressly provided in this Schedule.

“(10) For the purpose of giving effect to any adjustment, the Local Government Board may alter any certificate given by them under the Local Government Act, 1888, as respects the sums payable by county or county borough councils to guardians.”

## SECOND SCHEDULE.

### ENACTMENTS REPEALED.

| Session and Chapter.     | Short Title.                                                | Extent of Repeal.                                                                                                                                                                            |
|--------------------------|-------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 4 & 5 Will. 4,<br>c. 76. | The Poor Law Amendment Act, 1834.                           | Section thirty-two, from the words “provided always,” where they first occur, to “entitled thereto, as the case may be.”                                                                     |
| 7 & 8 Vict.<br>c. 101.   | The Poor Law Amendment Act, 1844.                           | Section forty-six, from “and in case of any addition” to the end of the section.                                                                                                             |
| 31 & 32 Vict.<br>c. 122. | The Poor Law Amendment Act, 1868.                           | Section twelve.                                                                                                                                                                              |
| 32 & 33 Vict.<br>c. 63.  | The Metropolitan Poor Amendment Act, 1869.                  | The words “adjust the rights and liabilities of parishes and unions comprised therein, respectively, and” in section one, and section four, from “and they shall” to the end of the section. |
| 33 & 34 Vict.<br>c. 2.   | The Dissolved Boards of Management and Guardians Act, 1870. | Section four.<br>Section seven, so far as it empowers the Local Government Board by order to direct the payment of any instalment of, or interest on, any loan, as therein mentioned.        |
| 39 & 40 Vict.<br>c. 61.  | The Divided Parishes and Poor Law Amendment Act, 1876.      | Section eleven.<br>Section eight, from the beginning of the section to “order; and”                                                                                                          |
| 45 & 46 Vict.<br>c. 58.  | The Divided Parishes and Poor Law Amendment Act, 1882.      | Sections nine, ten, and eleven.                                                                                                                                                              |



**PATRIOTIC FUND REORGANISATION  
ACT, 1903.**

3 EDW. 7, CAP. 20.

*An Act to reorganise the Administration of the Patriotic Fund.*—[11th August, 1903.]

Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. *Incorporation of Royal Patriotic Fund.*—(1) There shall be established a Royal Patriotic Fund Corporation, which shall be a body corporate by that name, with perpetual succession and a common seal, and power to acquire and hold lands without licence in mortmain.

(2) The constitution, rights, powers, and duties of the Corporation shall be determined in accordance with the First Schedule to this Act.

2. *Objects of Corporation.*—The property of the Corporation shall, subject to any special trust relating to any part thereof, be administered by the Corporation for the benefit of the widows, children, and dependants of officers and men of the naval and military forces of the Crown.

3. *Transfer of administration of Patriotic Fund to Corporation.*—(1) The Patriotic Fund Commission is hereby dissolved, and the property, rights, duties, and liabilities thereof, and all property held in trust therefor, are hereby transferred to and vested in the Royal Patriotic Fund Corporation.

(2) The officers and clerks in the service of the Patriotic Fund Commission shall be transferred and attached to the Royal Patriotic Fund Corporation: Provided that such persons shall not by reason of the transfer be in any

worse position legally in respect of their salaries, tenure of office, or superannuation allowances than they would have been if this Act had not passed.

(3) References in any deed, will, or other instrument to the Patriotic Fund Commission shall, unless a contrary intention appears, be construed as references to the Royal Patriotic Fund Corporation.

4. *Repeal.*—The enactments mentioned in the Second Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule.

5. *Short title and commencement.*—(1) This Act may be cited as “The Patriotic Fund Reorganisation Act, 1903.”

(2) It shall come into operation on the first day of January nineteen hundred and four.

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## FIRST SCHEDULE.

### CONSTITUTION OF CORPORATION.

#### Section 1.

1. *Constitution of Corporation.*—The Corporation shall consist of the following persons, namely:—

- (a) Twelve members nominated by His Majesty by warrant, under the sign manual, who shall be appointed for a term of three years, but shall be eligible for re-appointment, and who are referred to as “appointed members.”
- (b) The lord lieutenants of counties.
- (c) The chairman for the time being of every council of a county: Provided that a county council may, if the chairman is unable or unwilling to act, appoint some other person in place of the chairman, to be a member of the Corporation, and any person so appointed shall hold office for one year from the time of his appointment.
- (d) Every person for the time being entitled to the style of Lord Mayor, and the mayor for the time being of every county borough in England, Wales, and Ireland.
- (e) Every person for the time being entitled to the style of Lord Provost, and the provost for the time being of every royal, Parliamentary, or police burgh in Scotland with a population of or exceeding 50,000 according to the census

for the time being last taken: provided that any question as to the persons entitled to the style of Lord Provost may be decided by the Secretary for Scotland, and his decision shall be final.

- (f) Any number of persons not exceeding seven whom the council of the Corporation may think fit to co-opt as members, each of whom shall have been nominated as the representative of a charitable fund founded for the like purposes as the Corporation.

2. *Filling vacancies.*—If during the three years immediately succeeding the commencement of this Act any vacancy occurs by death, resignation, or otherwise among the appointed members, His Majesty may appoint some person to supply the vacancy, and that person shall hold office until the expiration of the three years.

After the expiration of the three years the appointed members shall be selected as follows; namely, six members shall be appointed by His Majesty by warrant under the sign manual, and the remaining six members shall be co-opted by the general council, and the members so appointed or co-opted shall hold office for a term of three years, but shall be eligible for reappointment or co-optation by His Majesty or by the council.

Where any vacancy occurs by death, resignation, effluxion of time, or otherwise in the office of any member so appointed or co-opted, the vacancy shall be filled by appointment by His Majesty or by co-optation, as the case may be. Any member so appointed or co-opted shall hold office for three years, and shall be eligible for re-appointment or co-option.

3. *General council.*—The powers and duties of the Corporation shall be exercised and performed by the general council of the Corporation, consisting of the whole of the members, and by an executive committee appointed from among the members.

4. *Meetings of council.*—The general council shall meet once at least in every year, and shall also meet when required to meet by a requisition in writing signed by not less than ten members of the Corporation, and seven members shall constitute a quorum of the general council.

5. *President and vice-president.*—(a) One of the members of the Corporation appointed by the Crown shall be nominated by the Crown as president of the council.

(b) The chairman of the executive committee shall be elected by the committee and shall be the vice-president of the council.

6. *Executive committee.*—The executive committee shall consist of not less than twelve nor more than twenty members of the Corporation, of whom three shall constitute a quorum. Four members in the first instance, and thereafter one member of the committee,

shall be appointed by the Treasury, two by the First Lord of the Admiralty, two by the Secretary of State for War, and the remaining members shall be appointed by the general council.

7. *Functions of the executive committee.*—The business and affairs of the Corporation shall be conducted by the executive committee under the control of the general council, who may make general rules for, or give special directions to, the committee, but subject to any such rules or directions the committee shall regulate their own procedure. General rules made by the council may provide for the formation of local committees for purposes connected with the fund (the members of which need not be members of the Corporation), and may regulate the functions of those committees, and may provide for other matters incidental to the due conduct of the business of the Corporation.

8. *Treasurer of Corporation.*—The Paymaster-General shall be the treasurer of the Corporation, and he shall keep such accounts on behalf of the Corporation as the Treasury may from time to time direct.

9. *Deposit of securities in Bank of England.*—All securities belonging to the Corporation shall be deposited in the Bank of England for the credit and at the disposal of the Corporation, and all interest and dividends accruing on such securities shall from time to time be received by the Bank of England, and shall be carried by them to the cash account of the Paymaster-General in their books.

10. *Proceeds of sale to be carried to account of Paymaster-General.*—On the sale at any time under the authority of the Corporation of any annuities, stocks, funds, or securities standing to their account in the books of the Bank of England, and of any securities belonging to the Corporation deposited with the Bank of England, the proceeds of the sales shall be received by the Bank, and shall be carried by them to the cash account of the Paymaster-General in their books.

11. *Audit of accounts.*—The accounts of the receipts and expenditure of the Corporation shall be audited in such manner and by such persons as the Treasury may from time to time direct.

12. *Secretary, clerks, &c.*—The Corporation may employ a secretary, clerks, and servants at salaries and the said salaries and all other proper expense of the Corporation shall be paid out of the funds at the disposal of the Corporation.

13. *Superannuation fund.*—The general council may establish a scheme of pensions for persons in the permanent employment of the Corporation, and for that purpose may create a superannuation fund, one half of which shall be furnished by contributions from the beneficiaries, and the other half of which shall be furnished from the funds at the disposal of the Corporation.

14. *Power to receive subscriptions.*—The Corporation may from time to time solicit and receive contributions from the public and donations of property for the purposes of the Corporation, and may also receive any such sums as may be granted by Parliament.

15. *Annual report of Corporation.*—The Corporation shall in each year make a report of their proceedings to His Majesty.

## SECOND SCHEDULE.

### ENACTMENTS REPEALED (Section 4.)

| Session and Chapter  | Short Title.                  | Extent of Repeal. |
|----------------------|-------------------------------|-------------------|
| 30 & 31 Vict. c. 98. | The Patriotic Fund Act, 1867. | The whole Act.    |
| 44 & 45 Vict. c. 46. | The Patriotic Fund Act, 1881. | The whole Act.    |
| 49 & 50 Vict. c. 30. | The Patriotic Fund Act, 1886. | The whole Act.    |
| 62 & 63 Vict. c. 45. | The Patriotic Fund Act, 1899. | The whole Act.    |

## SUGAR CONVENTION ACT, 1903.

3 EDW. 7, CAP. 21.

*An Act to make provision for giving effect to a Convention signed the Fifth day of March Nineteen hundred and two, in relation to Sugar.*—[11th August, 1903.]

Whereas His Majesty the King and divers foreign Powers have entered into a Convention signed the Fifth day of March, Nineteen hundred and two, in relation to sugar; and it is expedient to give effect to that Convention :

And whereas provision is made under Article VII. of the Convention for the establishment of a permanent commission with a permanent bureau attached to it charged with watching the execution of the provisions of the Convention (in this Act referred to as the Permanent Commission) :

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords

Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. *Powers with respect to bounty-fed sugar*—39 & 40 Vict. c. 36.—(1) Where it is reported by the Permanent Commission that any direct or indirect bounty is granted in any foreign country on the production or export of sugars, His Majesty may, by Order in Council, make a prohibition order, that is to say, an order prohibiting sugar from that foreign country to be imported or brought into the United Kingdom,<sup>(1)</sup> subject to any provision which may be made by Parliament in lieu of such prohibition to impose a special duty on such sugar in accordance with the Convention.

(2) While a prohibition order is in force the laws relating to Customs shall apply as if the sugar in respect of which the Order is made were specified in the table of prohibitions and restrictions inwards contained in section forty-two<sup>(2)</sup> of the Customs Consolidation Act, 1876.

(3) His Majesty may, by Order in Council, make such regulations as appear to him necessary,<sup>(3)</sup> in relation to any Order under this section, and may by those regulations in particular require the origin of all sugar imported or brought into the United Kingdom, whether in transit or otherwise, to be proved by such certificate or other evidence as may be provided in the Order.

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(1) Such an order in council was made on Aug. 11, 1903, prohibiting the importation as from Sept. 1 of all sugar (not including molasses and sugar-sweetened products) from Denmark, Russia, and the Argentine Republic, it having been reported by the Permanent Commission that a bounty on the exportation of sugars is granted in those countries.

(2) By that section prohibited goods are forfeited, and may be destroyed.

(3) The order in council of Aug. 11, above referred to, contained regulations about the origin of imported sugar in a schedule thereto annexed.

(4) An Order made under this section shall not apply to molasses nor, except as expressly mentioned in this section,<sup>(4)</sup> to sugar in transit.

(5) Any share of the expenses on account of the organisation and working of the Permanent Commission as determined in pursuance of the Convention, and any expenses incurred in connection with the attendance of delegates at the Commission, shall be paid out of moneys provided by Parliament.

2. *Regulations as to sugar refineries and factories*—26 & 27 Vict. c. 7.—His Majesty may, by Order in Council,<sup>(5)</sup> declare that every sugar factory and sugar refinery and factory for the extraction of sugar from molasses in the United Kingdom shall be subject to the supervision either of the Commissioners of Customs or of the Commissioners of Inland Revenue; and those Commissioners may respectively make regulations<sup>(6)</sup>—

- (a) for prohibiting the carrying on of any such factory or refinery otherwise than by persons authorised, and in premises approved, by the Commissioners and, if required, entered for the purpose; and for giving officers of the Commissioners powers of entry into any part of the premises at any time; and
- (b) for securing the payment of duty (including any charge which there is power to make under the law for the time being in force, on the delivery of goods for home consumption), and regulating the time and mode of, and the general arrangements to be made for, that payment, and for preventing

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<sup>(4)</sup> That is to say, under sub-sect. 3 (*ante*), only as regards regulations requiring the origin of imported sugar.

<sup>(5)</sup> An order in council containing this declaration (as from Sept. 1) was made on Aug. 11, 1903.

<sup>(6)</sup> Regulations have been issued by the commissioners, consequent on the above-mentioned order in council.

any claim to drawback where duty has not been paid, and for regulating the removal of any sugar to or from the premises, the storage of finished sugar, and the return of sugar for the purpose of further refinement; and

- (c) for making such entries in relation to the various processes in the manufacture of sugar as may be required by the Commissioners, and for enabling the officers of the Commissioners to inspect those entries; and
- (d) for applying any provisions of the laws of Customs (including the Manufactured Tobacco Act, 1863) or of the laws of Excise; and
- (e) for attaching penalties not exceeding fifty pounds to any breach of or failure to comply with any regulation made under this section, and providing for the recovery and application of the penalty, and for the forfeiture of any article in respect of which any offence against the regulations is committed;

and the duties payable under the Finance Act, 1901,<sup>(1)</sup> or any Act amending that Act, shall be taken on the delivery of any article from the factory or refinery, and shall be the same as those payable on the like articles on importation.

3. *Revocation of orders and saving.*—(1) His Majesty may, by Order in Council, revoke, alter, or add to any Order in Council made under this Act.

(2) Nothing in this Act shall apply to glucose.

4. *Short title.*—This Act may be cited as “The Sugar Convention Act, 1903.”

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<sup>(1)</sup> The duties on sugar payable under that Act (1 Edw. 7, c. 7) are contained in sect. 2 and Schedule I.



## 3 EDW. 7, CAP. 22.

*An Act to make further provision for the construction of works in the United Kingdom and elsewhere for the purposes of the Royal Navy.*—[11th August, 1903.]

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## 3 EDW. 7, CAP. 23.

*An Act to provide for a Special Grant to be used for the purposes of the Development of Ireland.*—[11th August, 1903.]

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## EDUCATION (LONDON) ACT, 1903.

## 3 EDW. 7, CAP. 24.

## INTRODUCTION.

This statute gave rise to a good deal of discussion, and was considerably modified during its passage through Parliament. In its final form it applies the Education Act of last year to London with few changes. Consequently its effect can only be interpreted by constant reference to that Act, which it substantially incorporates.

The London School Board, constituted by the Elementary Education Act, 1870, is abolished, and the London County Council is established as the local education authority for the entire area under the former jurisdiction of the School Board, which is not absolutely co-extensive with the administrative county of London. The London County Council, like other education authorities, must act through an education committee, constituted precisely in the same manner as other education committees, with the insignificant exception that its minutes are open to inspection. The metropolitan borough councils (including the City of London) have no direct

representation on the education authority or on the education committee; but they are given considerable powers of management. It is in this matter that most change is made in the provisions of last year's Act. In the cases of provided schools, the council of the metropolitan borough within which such school may lie is given (1) the power of determining the number of managers and the grouping of schools for management, and (2) the right of appointing two-thirds of the managers. The remaining one-third are to be appointed by the education authority. But it is expressly provided that not less than one-third of the total number of managers must be women, and that, in the case of the first appointment of managers, existing managers shall be included. The only other matter worthy of notice is that the rate for higher education is not limited to 2d. in the £.

#### THE STATUTE.

*An Act to extend and adapt the Education Act, 1902, to London.*—[14th August, 1903.]

Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. *Application of Education Act, 1902, to London.*—The Education Act, 1902 (in this Act referred to as the principal Act), shall, so far as applicable, and subject to the provisions of this Act, apply to London.

2. *Provisions as to management and sites of provided schools.*—(1) Every public elementary school provided by the local education authority<sup>(1)</sup> within the area of any

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(1) By the effect of sect. 1 of the Act of 1902, as applied by sect. 1 of this Act, the local education authority is the London County Council.

metropolitan borough<sup>(2)</sup> shall have a body of managers.<sup>(3)</sup> <sup>(4)</sup>The number of those managers and the manner in which schools, in cases where it is desirable, should be grouped under one body of managers shall be determined by the council of each borough, after consultation with the local education authority, and subject to the approval of the Board of Education.

Two-thirds of every such body shall be appointed by the borough council<sup>(5)</sup> and one-third by the local education authority; but due regard shall be had in selecting managers to the inclusion of women in the proportion of not less than one-third of the whole body of managers,<sup>(6)</sup> and, in the case of the first body of managers, also of members chosen from the then existing bodies of managers, and the borough council and the local education authority shall carry out any directions given by the Board of Education for the purpose of giving effect to this provision.

(2) The site of any new public elementary school to be provided by the local education authority shall not be determined upon until after consultation with the council of the metropolitan borough in which the proposed site is situated, and in the case of compulsory purchase, if the

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(2) By sect. 4, sub-sect. 2 (*post*), "metropolitan borough" includes the city of London.

(3) By para. 11 of Schedule I. (*post*), a manager may not be appointed for a longer period than three years, but may be re-appointed.

(4) These provisions take the place of the provisions as to management and grouping contained in sect. 6, sub-sect. 1, and sect. 12 of the Act of 1902, which provisions do not apply to this Act (Schedule I., para. 3).

(5) By sect. 4, sub-sect. 2 (*post*), "borough council" is interpreted to include the mayor, aldermen, and commons of the city of London in common council assembled.

(6) Under the Act of 1902 there is no provision either as to women or as to existing managers.

council of the metropolitan borough does not concur in the proposed compulsory acquisition, the Board of Education shall not make the order authorising the purchase unless they are satisfied that the concurrence of the council of the borough should be dispensed with: Provided that, except in the case of compulsory acquisition, the site required for the enlargement of a public elementary school shall not be deemed to be a site required for a new public elementary school within the meaning of this sub-section.

(3) Schools provided by the local education authority for blind, deaf, epileptic, and defective children, and any other schools which, in the opinion of the Board of Education, are not of a local character, shall not be treated for the purposes of this section as public elementary schools.

3. *Boundary schools.*—(1) As from the passing of this Act, any public elementary school provided by the London School Board before the passing of this Act, which is wholly or partly situated outside the county of London, shall, for the purposes of this Act, be treated as, and for the purposes of the principal Act be deemed to have been, wholly situated within the county of London and within the nearest metropolitan borough.

(2) Any public elementary school provided by the local education authority which is situated partly in one metropolitan borough and partly in another shall, for the purposes of this Act, be deemed to be situated in such one of those boroughs as the local education authority determine.

4. *Modification of principal Act and interpretation.*—(1) The modifications of the principal Act set out in the First Schedule to this Act shall have effect for the purposes of this Act.

(2) The expression “metropolitan borough” in this Act shall include the City, and the expression “council of a

metropolitan borough" shall include the mayor, aldermen, and commons of the city of London in common council assembled.

5. *Commencement, repeal, and short title.*—(1) This Act shall, except as expressly provided, come into operation on the appointed day, and the appointed day shall be the first day of May nineteen hundred and four, or such other day, not being more than twelve months later, as the Board of Education may appoint, and different days may be appointed for different purposes and for different provisions of this Act.

(2) In addition to the repeals effected by the principal Act, the Acts mentioned in the Second Schedule to this Act shall be repealed to the extent specified in the third column of that Schedule.

(3) This Act may be cited as "The Education (London) Act, 1903"; and the Education Acts, 1870 to 1902, and this Act may be cited as "The Education Acts, 1870 to 1903."

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#### FIRST SCHEDULE. (Section 4.)

##### MODIFICATIONS OF THE PRINCIPAL ACT.

1. References in the principal Act to the council of a borough shall not be construed as references to the council of a metropolitan borough, except—

- (a) in paragraph (a) of section twenty (relating to arrangements between councils)<sup>(1)</sup> and in sub-section two of section twenty-four (relating to interpretation);<sup>(8)</sup> and
- (b) as respects the borough of Woolwich, so far as is necessary to enable the council of that borough to make any contribution which they are authorised to make under section nineteen<sup>(9)</sup> of the London Government Act, 1899.

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<sup>(1)</sup> These arrangements relate to the exercise [by subordinate councils of the powers of management of the education authority.

<sup>(8)</sup> This relates more particularly to the definition of the expression "minor local authority."

<sup>(9)</sup> By sub-sect. 3 of that section it is provided that nothing in the Act shall prevent the council of any borough consisting

2. The provisions of section two<sup>(10)</sup> of the principal Act, as to limit of rate, shall not apply.

3. Sub-section one of section six of the principal Act (relating to the management of schools), and so much of section twelve of that Act (relating to the grouping of schools under one management) as relates to public elementary schools provided by the local education authority, shall not apply.

4. The provisoes to sub-section one of section eighteen of the principal Act (relating to expenses),<sup>(11)</sup> and sub-section two<sup>(12)</sup> of section thirteen of that Act (relating to endowments), shall not apply, but the Board of Education may, on the application of the Trustees of the endowment, or of the local education authority, direct that any money which would be payable under the said section thirteen<sup>(12)</sup> to the county council shall be applied in manner provided by a scheme made by the Board if the Board consider that it is expedient to make such a scheme. In any such scheme, due regard shall primarily be had to the interests of the locality for which the benefits of the endowment were intended.

5. The words "a county council" in section nineteen of the principal Act (which relates to borrowing) shall, as respects borrowing by the local education authority, be construed as if they were "the London County Council."

6. Section twenty-seven of the principal Act (relating to extent, commencement, and short title) shall not apply except so far as sub-section three of that section is already applicable to London, and the words "the appointed day" shall be substituted for "the twenty-sixth day of March nineteen hundred and four" in that sub-section.

7. Where the London County Council delegate to their

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of or comprising Woolwich from continuing to make any contribution for the purpose of technical education hitherto made by any local authority.

(<sup>10</sup>) That section limits the rate for higher education to 2d. in the £, except with the consent of the Local Government Board.

(<sup>11</sup>) Those provisoes empower a county council to apportion expenses among parishes.

(<sup>12</sup>) That sub-section requires that money arising from an endowment, and paid to a county council for a provided school, shall be credited in aid of the rate levied on the parish.

(<sup>13</sup>) That is to say, where the income of the endowment, in whole or in part, must be applied for the purposes of a public elementary school, for which provision is to be made by the local education authority.

education committee any powers, and the acts and proceedings of the committee as respects the exercise of those powers are not required to be submitted to the council for their approval, sub-section one of section two hundred and thirty-three of the Municipal Corporations Act, 1882 (which provides for the inspection and the taking of copies of minutes) shall apply to the minutes of the committee<sup>(14)</sup> relating to the exercise of those powers as it applies to the minutes of the council.

8. The Treasury shall be substituted for the Local Government Board in paragraph six<sup>(15)</sup> of the Second Schedule to the principal Act.

9. Where governors or managers are appointed by the local education authority on the governing body of any institution aided by grant from the local education authority, the provisions of the scheme or trust deed of the institution imposing any limit on the number of the members of the governing body, or requiring any qualification for those members, shall not apply as respects such governors or managers.

10. References in the principal Act to the passing of that Act shall be construed as references to the passing of this Act.

11. A manager of a public elementary school provided by the local education authority shall not be appointed for a longer period than three years, but may be re-appointed.

## SECOND SCHEDULE. (Section 5.)

### ENACTMENTS REPEALED.

| Session and Chapter.    | Short Title.                        | Extent of Repeal.                                                                                                                                                                          |
|-------------------------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 33 & 34 Vict.<br>c. 75. | The Elementary Education Act, 1870. | The definition of "metropolis" in section three. Sections thirty-seven, thirty-eight, and thirty-nine. Section fifty-eight. The Third Part of the Second Schedule, and the Fifth Schedule. |
| 36 & 37 Vict.<br>c. 86. | The Elementary Education Act, 1873. | Section sixteen.                                                                                                                                                                           |
| 48 & 49 Vict.<br>c. 38. | The School Boards Act, 1885.        | Section two.                                                                                                                                                                               |

<sup>(14)</sup> By para. 4 of Schedule I. to the Act of 1902, education committees are required to keep minutes.

<sup>(15)</sup> This paragraph refers to the liabilities of a school board transferred to the local education authority.

3 EDW. 7, CAP. 25.

*An Act to consolidate with Amendments the Laws relating to Licensing in Scotland.*—[14th August, 1903.]

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**MARRIAGES LEGALISATION ACT, 1903.**

3 EDW. 7, CAP. 6.

*An Act to render valid Marriages heretofore solemnised at the Ellerker Chapel-of-Ease, Brantingham, and at the Churches of Saint Mark, Marske-in-Cleveland, All Saints, Brightwaltham (otherwise Brightwalton), and Saint Mary, Great Ilford, and at the Old Baptist Union Chapel, Grays Thurrock, and Marriages solemnised after banns published at the Mission Room in the parish of Marrick.*—[14th August, 1903.]

Whereas the Ellerker Chapel-of-Ease, in the parish of Brantingham, in the county and diocese of York, was rebuilt and consecrated for the performance of divine service in the year eighteen hundred and forty-four, but does not appear to have been licensed by the bishop of the said diocese or otherwise for the publication of banns and the solemnisation of marriages therein :

And whereas the church of Saint Mark, in the parish of Marske-in-Cleveland, in the county and diocese of York, was built and consecrated in the year eighteen hundred and sixty-seven, and the church of All Saints in the parish of Brightwaltham (otherwise Brightwalton), in the county of Berkshire and diocese of Oxford, was built and consecrated in the year eighteen hundred and sixty-three, and in each case the church so built was intended to be substituted for the ancient parish church of the parish, but it does not appear that any deed of substitution was executed at the time :



And whereas by a deed of substitution dated the twenty-fourth of April nineteen hundred and two, the church of Saint Clement, Great Ilford, in the county of Essex and diocese of St. Alban's, was substituted as the parish church for the old parish church of St. Mary, and the latter church thereby ceased to be one in which marriages could legally be solemnised until again licensed by the bishop :

And whereas divers marriages have nevertheless been solemnised in the said chapel and churches respectively :

And whereas in the years nineteen hundred and one and nineteen hundred and two certain marriages were solemnised in the Old Baptist Union Chapel at Grays Thurrock, in the district of Orsett, in the county of Essex, and the said chapel was not registered by the Registrar-General pursuant to the Marriages Act, 1836 (6 & 7 Will. 4, c. 85):

And whereas since the month of September in the year eighteen hundred and ninety-three certain banns have been published in the Mission Room of the parish of Marrick in the North Riding of the county of York and in the diocese of Ripon, and certain marriages have been solemnised after those banns, but that Mission Room was not licensed for the publication of banns :

And whereas it is expedient under the circumstances aforesaid to remove all doubts touching the validity of the marriages so solemnised :

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. *Validation of certain marriages heretofore solemnised.*  
—(1) All banns of matrimony and marriages published and solemnised before the passing of this Act in the said Ellerker Chapel-of-Ease and in the said churches of Saint

Mark, Marske-in-Cleveland, All Saints, Brightwaltham (otherwise Brightwalton), and Saint Mary, Great Ilford, shall be as valid as if they had been published and solemnised in a church duly consecrated and licensed for marriages.

(2) All marriages solemnised in the said Old Baptist Union Chapel at Grays Thurrock, in the district of Orsett, in the county of Essex, during the years aforesaid, shall be as valid as if the said chapel had been duly registered in accordance with the provisions of the above recited Act before the solemnisation of those marriages.

(3) All banns published in the said Mission Room in the parish of Marrick since the month of September in the year eighteen hundred and ninety-three, and all marriages solemnised after those banns, shall be as valid as if the Mission Room had been duly licensed for the publication of banns.

(4) A minister who has solemnised any marriage to which this section refers shall not be liable to any proceedings for penalties whatsoever, or to any ecclesiastical censure, by reason of having solemnised the marriage.

(5) The register of the marriages so solemnised, or copies of the register, shall be received in all courts as evidence of those marriages in the same manner as registers of marriages duly solemnised, or copies thereof, are by law receivable in evidence.

2. *Short title.*—This Act may be cited as “The Marriages Legalisation Act, 1903.”

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3 EDW. 7, CAP. 27.

*An Act to authorise the Treasury to guarantee the payment of a Loan to be raised by the Transvaal, and to provide for the application of any sums paid by that Colony or the Orange River Colony towards the expenses incurred by His Majesty's Government in or*

*incidental to the prosecution of the late War in South Africa*—[14th August, 1903.]

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3 EDW. 7, CAP. 28.

*An Act to grant Money for the purpose of certain Local Loans out of the Local Loans Fund, and for other purposes relating to Local Loans.*—[14th August, 1903.]

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3 EDW. 7, CAP. 29.

*An Act to make further provision for defraying the Expenses of certain Military Works and other Military Services.*—[14th August, 1903.]

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## RAILWAYS (ELECTRICAL POWER)

ACT. 1903.

3 EDW. 7, CAP. 30.

*An Act to facilitate the Introduction and Use of Electrical Power on Railways.*—[14th August, 1903.]

Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. *Introduction of electrical power under orders of Board of Trade.*—(1) With the object of facilitating the introduction and use of electrical power on railways the Board of Trade may, upon the application of a railway company,<sup>(1)</sup> make orders for all or any of the following purposes, namely :

(a) authorising a railway company to use electricity

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(1) By sect. 6, sub-sect. 1 (*post*), "railway company" is interpreted to include a company or person working a railway under lease or otherwise.

in addition to or in substitution for any other motive power, and for any other purpose ;

- (b) authorising the company to construct and maintain generating stations or other electrical works on any land belonging to the company ;
- (c) authorising agreements between the company and any body corporate or other person for the supply to the company of electrical power or the supply to or use by the company of any electrical plant or equipment ;
- (d) sanctioning any modification of any working agreement so far as the modification is agreed to between the parties thereto, and is consequential on the introduction or use of electrical power ;
- (e) authorising the company to subscribe to any electrical undertaking which will facilitate the supply of electricity to the company ;
- (f) securing the safety of the public ;
- (g) authorising the issue of new capital by the company for any of the purposes of this Act ;
- (h) any other matters, whether similar to the above or not, which may be considered ancillary to the objects of the order, or expedient for carrying those objects into effect.

(2) An order made by the Board of Trade under this Act shall, on coming into operation, have effect as if enacted by Parliament.

2. *Acquisition of land for electrical works.*—(1) An order under this Act may contain provisions authorising the acquisition of land by any railway company for the purpose of constructing generating stations or other electrical works, but if power is given by order to acquire the land otherwise than by agreement, the order shall not come into operation, so far as it gives that power, unless confirmed by Parliament, and the Board of Trade may bring in a Bill for confirming the order.

(2) If while a Bill confirming any such order is pending in either House of Parliament a petition is presented against the order, the Bill, so far as it relates to the order, may be referred to a Select Committee, or, if the two Houses of Parliament think fit so to order, to a Joint Committee of those Houses, and the petitioner shall be allowed to appear and oppose as in the case of Private Bills.

3. *Board of Trade inquiries*—37 & 38 Vict. c. 40.—(1) Before making an order under this Act the Board of Trade shall be satisfied that the public notice required by rules made under this Act of the application for the order has been given, and shall consider any objections made by the council of any county, any local authority, or other person to the application in accordance with those rules, and give to those by whom the objection is made an opportunity of being heard, and if after consideration the Board decide that the objection should be upheld, the Board shall not make the order or shall modify the order so as to remove the objection.

(2) The Board of Trade may, if they think fit, hold a local inquiry for the purpose of considering any application for an order under this Act, and the Board of Trade Arbitrations, &c., Act, 1874, shall apply to any inquiry so held as if—

- (a) the inquiry was held on an application made in pursuance of the special Act; and
- (b) the parties making the application for the order and any person objecting to any such application were parties to the application within the meaning of section three of that Act.

4. *Expenses and fees*.—(1) The Board of Trade may (with the concurrence of the Treasury as to number and remuneration) appoint or employ such persons as appear to them to be required for carrying this Act into effect, and the remuneration of such persons, and any other

expenses of the Board of Trade under this Act, shall be defrayed out of moneys provided by Parliament.

(2) There shall be charged in respect of proceedings under this Act before the Board of Trade such fees as may be fixed by the Treasury on the recommendation of the Board of Trade.

5. *Power to Board of Trade to make rules.*—The Board of Trade may make such rules as they think necessary for regulating the notices and advertisements to be given of any application for an order under this Act or otherwise for the purposes of this Act, and any other matter which they think expedient to regulate by rule for the purpose of carrying this Act into effect.

6. *Interpretation, saving, short title, and commencement.*—(1) In this Act the expression “railway company” includes a company or person working a railway under lease or otherwise.

(2) Nothing in this Act shall affect any powers which a railway company may have independently of this Act.

(3) This Act may be cited as “The Railways (Electrical Power) Act, 1903.”

(4) This Act shall come into operation on the first day of January nineteen hundred and four.

## BOARD OF AGRICULTURE AND FISHERIES ACT, 1903.

3 EDW. 7, CAP. 31.

*An Act to transfer to the Board of Agriculture powers and duties relating to the Industry of Fishing, and to amend the Board of Agriculture Act, 1889. — [14th August, 1903.]*

Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual

and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. *Superintendence of fisheries transferred to Board of Agriculture*—52 & 53 Vict. c. 30—24 & 25 Vict. c. 109—48 & 49 Vict. c. 70—31 & 32 Vict. c. 45.—(1) The Board of Agriculture shall after the commencement of this Act be styled the Board of Agriculture and Fisheries, and references in any Act or document to the Board of Agriculture shall be construed as references to the Board of Agriculture and Fisheries.

(2) The powers and duties of the Board of Trade under the enactments specified in the Schedule to this Act, and under any certificate given or order made in pursuance of any of those enactments, and any powers and duties of the Board of Trade, or any officer of that Board, under any local and personal Act which relates solely to the industry of fishing, shall be transferred to the Board of Agriculture and Fisheries, or, in the case of the powers and duties of any officer, to such officer of the Board of Agriculture and Fisheries as the Board nominate for the purpose.

(3) Section four<sup>(1)</sup> of the Board of Agriculture Act, 1889, shall have effect as respects the transfer of any powers and duties of a Government Department which appear to His Majesty to relate to the industry of fishing in the same manner as with respect to powers and duties which appear to His Majesty to relate to agriculture or forestry, and sections two<sup>(2)</sup> and four<sup>(1)</sup> of that Act shall be read as if

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(<sup>1</sup>) That section empowers the King in Council to transfer to the Board of Agriculture such powers and duties of any Government department as are conferred by or in pursuance of any statute, and appear to His Majesty to relate to agriculture or forestry, and to be of an administrative character.

(<sup>2</sup>) That section empowers the Board of Agriculture (subsect. 2) to undertake the collection of statistics and the inspection and aiding of technical schools; and (sub-sect. 3) to make, or aid in making, inquiries, experiments, and researches.

the words "the industry of fishing" were added after the word "agriculture."

(4) Sections nine<sup>(3)</sup> (transfer of officers) and eleven (construction of Acts and documents) of the Board of Agriculture Act, 1889, shall apply in relation to the powers and duties transferred by or in pursuance of this Act as if they were transferred by or in pursuance of that Act, and as if the date of the commencement of this Act were substituted for the date of the establishment of the Board of Agriculture.

(5) The limitation contained in section thirty-one<sup>(4)</sup> of the Salmon Fishery Act, 1861, as to the number and term of office of the inspectors of fisheries shall cease to apply, and those inspectors may be appointed by the Board of Agriculture and Fisheries under section five<sup>(5)</sup> of the Board of Agriculture Act, 1889.

(6) The Board of Agriculture and Fisheries shall be substituted for the Board of Trade as respects communication and returns in section six of the Sea Fisheries (Scotland) Amendment Act, 1885.

(7) Where any portion of the sea shore proposed to be comprised in an order under Part III. of the Sea Fisheries Act, 1868, is under the management of the Board of Trade, the order shall not be made without the consent of that Board, and section forty-six of that Act shall be construed accordingly.

(8) The Merchandise Marks (Prosecutions) Act, 1894 (which relates to the undertaking by the Board of Agriculture of prosecutions under the Merchandise Marks Act,

(<sup>3</sup>) That section provides (*inter alia*), by a proviso to subsect. 3, that officers transferred shall be in no worse position as respects tenure of office, salary, or superannuation allowances.

(<sup>4</sup>) By that section the number of inspectors of fisheries is limited to two, and their term of office to three years.

(<sup>5</sup>) That is to say, such number may be appointed as the Board may, with the sanction of the Treasury, determine.



1887, in certain cases), shall apply to the produce of any fishing industry as it applies to agricultural or horticultural produce.

(9) Sub-section three<sup>(6)</sup> of section five of the Board of Agriculture Act, 1889, shall apply to expenses incurred by the Board of Agriculture and Fisheries in the execution of any powers and duties transferred by or in pursuance of this Act as it applies to expenses incurred by that Board in the execution of their duties under that Act.

2. *Amendment of 52 & 53 Vict. c. 30.*—(1) Any Order in Council made under section four of the Board of Agriculture Act, 1889, may be varied or revoked by an Order in Council made in accordance with the provisions of that section.<sup>(7)</sup>

(2) The expression "Secretary" in the Board of Agriculture Act, 1889,<sup>(8)</sup> shall include assistant secretary.

3. *Extent, commencement, and short title*—28 & 29 Vict. c. 121.—(1) Nothing in this Act shall transfer or authorise the transfer of any powers or duties exercisable in or in relation to Scotland or any part of the sea adjoining Scotland, except so far as is expressly provided by this Act as respects communications and returns, and except so far as respects the river Esk and its banks and tributaries referred to in section sixty-three of the Salmon Fishery Act, 1865.

(2) This Act may be cited as "The Board of Agricul-

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<sup>(6)</sup> That sub-sect. provides that expenses, to such amount as may be sanctioned by the Treasury, shall be paid out of money provided by Parliament.

<sup>(7)</sup> That section empowers an Order in Council transferring powers to be made, not to be varied or revoked.

<sup>(8)</sup> By the effect of this, a document authenticated by the assistant secretary will no longer need evidence that he was authorised by the President of the Board to act on behalf of the secretary, as required by sect. 6, sub-sect. 2, and sect. 7, sub-sect. 1 of the Act of 1889.

ture and Fisheries Act, 1903," and shall come into operation on the first day of October nineteen hundred and three.

(3) The Board of Agriculture Act, 1889, and this Act may be cited together as "The Board of Agriculture and Fisheries Acts, 1889 and 1903."

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### SCHEDULE.

#### ENACTMENTS RELATING TO POWERS AND DUTIES OF THE BOARD OF TRADE TRANSFERRED TO THE BOARD OF AGRICULTURE.

##### 1. *Salmon and Freshwater Fisheries Acts.*

|                       |     |                                                |
|-----------------------|-----|------------------------------------------------|
| 24 & 25 Vict. c. 109. | ... | The Salmon Fishery Act, 1861.                  |
| 26 & 27 Vict. c. 10.  | ... | The Salmon Acts Amendment Act, 1863.           |
| 28 & 29 Vict. c. 121. | ... | The Salmon Fishery Act, 1865.                  |
| 33 & 34 Vict. c. 33.  | ... | The Salmon Acts Amendment Act, 1870.           |
| 36 & 37 Vict. c. 71.  | ... | The Salmon Fishery Act, 1873.                  |
| 39 & 40 Vict. c. 19.  | ... | The Salmon Fishery Act, 1876.                  |
| 39 & 40 Vict. c. 34.  | ... | The Elver Fishing Act, 1876.                   |
| 40 & 41 Vict. c. 65.  | ... | The Fisheries (Dynamite) Act, 1877.            |
| 41 & 42 Vict. c. 39.  | ... | The Freshwater Fisheries Act, 1878.            |
| 42 & 43 Vict. c. 26.  | ... | The Salmon Fishery Law Amendment Act, 1879.    |
| 47 & 48 Vict. c. 11.  | ... | The Freshwater Fisheries Act, 1884.            |
| 49 & 50 Vict. c. 2.   | ... | The Freshwater Fisheries Act, 1886.            |
| 49 & 50 Vict. c. 39.  | ... | The Salmon and Freshwater Fisheries Act, 1886. |
| 54 & 55 Vict. c. 37.  | ... | The Fisheries Act, 1891, Parts III. and IV.    |
| 55 & 56 Vict. c. 50.  | ... | The Salmon and Freshwater Fisheries Act, 1892. |

##### 2. *Norfolk and Suffolk Fisheries.*

|                        |     |                                                |
|------------------------|-----|------------------------------------------------|
| 40 & 41 Vict. c. xcvi. | ... | The Norfolk and Suffolk Fisheries Act, 1877.   |
| 59 & 60 Vict. c. 18.   | ... | The Fisheries (Norfolk and Suffolk) Act, 1896. |

3. *Sea Fisheries Regulation Acts.*

- 51 & 52 Vict. c. 54. ... The Sea Fisheries Regulation Act, 1888.  
 54 & 55 Vict. c. 37. ... The Fisheries Act, 1891, Part. II.  
 57 & 58 Vict. c. 26. ... The Sea Fisheries (Shell Fish) Regulation Act, 1894.

4. *Oysters, &c.*

- 29 & 30 Vict. c. cxlv. ... The Roach River Oyster Fishery Act, 1866.  
 31 & 32 Vict. c. 45. ... The Sea Fisheries Act, 1868, Part III.  
 32 & 33 Vict. c. 31. ... The Oyster and Mussel Fisheries Orders Confirmation Act, 1869 (No. 2).  
 38 & 39 Vict. c. 15. ... The Sea Fisheries Act, 1875.  
 40 & 41 Vict. c. 42. ... The Fisheries (Oyster, Crab, and Lobster) Act, 1877.  
 47 & 48 Vict. c. 27. ... The Sea Fisheries Act, 1884.

5. *Miscellaneous.*

- 59 & 60 Vict. c. 48. ... Sub-section one of section five of the Light Railways Act, 1896, so far as it relates to the industry of fishing.

## 3 EDW. 7, CAP. 32.

*An Act to apply certain sums out of the Consolidated Fund to the service of the years ending on the thirty-first day of March one thousand nine hundred and two, and one thousand nine hundred and four, and to appropriate the supplies granted in this Session of Parliament.*—[14th August, 1903.]

## 3 EDW. 7, CAP. 33.

*An Act to amend the Law relating to the Administration of Burghs in Scotland.*—[14th August, 1903.]

## 3 EDW. 7, CAP. 34.

*An Act to amend the Town Councils (Scotland) Act, 1900.*—[14th August, 1903.]

3 EDW. 7, CAP. 35.

*An Act to amend the Law with respect to Customs Duties  
in the Isle of Man.*—[14th August, 1903.]

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**MOTOR CAR ACT, 1903.**

3 EDW. 7, CAP. 36.

Sect.

**SUMMARY.**

1. Reckless driving.
2. Registration of motor cars.
3. Licensing of drivers.
4. Suspension of licence and disqualification.
5. Forgery, &c., of identification mark or licence.
6. Duty to stop in case of accident.
7. Regulations by Local Government Board.
8. Power to prohibit motor cars on special roads.
9. Rate of speed.
10. Erection of notice boards.
11. Penalties and legal proceedings.
12. Regulations as to maximum weight of cars.
13. Inland revenue licences for motor car drivers.
14. Local inquiries by Local Government Board.
15. Saving of liability.
16. Application to servants of the Crown.
17. Protection of Menai Bridge.
18. Application to Scotland.
19. Application to Ireland.
20. Interpretation, commencement, and short title.
21. Duration of Act.

**INTRODUCTION.**

This statute, which was considerably amended during its passage through Parliament, was introduced by the Government in response to a loudly expressed desire from the public that the growing use of motor cars on public roads should be subjected to more severe restrictions.

The existing law is contained in the Locomotives on Highways Act, 1896 (59 & 60 Vict. c. 36), which was an enabling statute intended to free "light locomotives"

from the antiquated restrictions imposed on heavy locomotives or traction engines by earlier legislation. But within the seven years that have since elapsed the manufacture and use of motor cars has advanced so rapidly that the regulations of 1896 have themselves already become antiquated. That similar developments are anticipated in the future may be inferred from the duration of the present statute being limited to two years.

Though not so expressed, and though the title is different, this statute is an amendment of the Act of 1896. Motor cars are defined as "light locomotives" under the earlier Act, which contains an elaborate definition wide enough to include motor cycles, and also "trailers" or vehicles drawn by motor cars. This definition practically comprises all vehicles propelled by mechanical power if under three tons in weight, with a further condition that they must not habitually emit smoke or vapour. Heavier vehicles come under the Locomotives Act, 1898 (61 & 62 Vict. c. 29). Under the Act of 1896, light locomotives were subjected to an additional excise duty; they were required to carry a bell and lights at night; their maximum speed was limited to fourteen miles an hour; and the Local Government Board was empowered to make regulations generally concerning their use, under which their speed has been further restricted to ten miles an hour. The maximum penalty for any offence under the Act was a fine of £10.

The provisions of that Act, and the regulations made under it, having been found inadequate for the protection of the public, the present statute introduces a more detailed and more stringent body of rules. First, all motor cars (including motor cycles) are required to be registered with the council of a county or county borough, and a clearly distinguishable mark of identification is to be affixed to them. The fee for registration is £1 for a motor car and 5s. for a motor cycle. Second, the driver

of every motor car (whether the owner or a hired person) is required to take out an annual licence from the same council, and must produce his licence when demanded by a constable. No licence may be granted to a person under seventeen, except in the case of a motor cycle, where the limit of age is over fourteen. The fee for a licence is 5s. Provisions are made, in case of conviction for any offence in connection with driving (other than a first or second offence relating to speed), for suspending a licence, endorsing a licence, and disqualifying a person from obtaining a licence; but an appeal to quarter sessions is given in all such cases. Third, apart from any question of speed, reckless driving (as defined in sect. 1, subsect. 1) is made a specific offence; the refusal by a driver thus offending to give his correct name and address is likewise made an offence; and a constable is authorised to arrest without warrant any driver refusing to give his name and address, or to produce his licence, or if his motor car does not bear the marks of identification. Fourth, the duty is imposed on every driver of a motor car to stop if any accident occurs owing to the presence of his motor car. Fifth, the limitation of speed under the Act of 1896 is removed, but a maximum limit of twenty miles an hour is substituted, with a further restriction to ten miles an hour within places defined by the Local Government Board on the application of the local authority. A scale of penalties, rising to £50 for a third conviction, is provided for offences relating to speed, but no person can be convicted on the evidence of a single witness, nor unless he has received notice of intended prosecution. Sixth, the Local Government Board is empowered to restrict or prohibit altogether the driving of motor cars on certain roads. Seventh, local authorities are required to set up notice boards announcing the regulations of the Local Government Board with regard to limitation of speed, or restriction or prohibition of motor cars, and also sign

posts at dangerous places. Eighth, for any offence under the Act for which no special penalty is provided, a fine of £50 or imprisonment for three months may be awarded in the case of a second conviction; but an appeal to quarter sessions is allowed whenever a fine exceeding 20s. is imposed. Finally, it may be remarked that the provisions of the Act are specially extended to persons in the public service of the Crown, and also to all roadways (not being public highways) to which the public are granted access. The Act does not come into operation until 1st January, 1904, and (as already mentioned) continues in force only until 31st December, 1906, unless Parliament shall otherwise determine.

#### THE STATUTE.

*An Act to amend the Locomotives on Highways Act, 1896.*—[14th August, 1903.]

Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. *Reckless driving.*—(1) If any person drives a motor car<sup>(1)</sup> on a public highway<sup>(2)</sup> recklessly or negligently, or at a speed or in a manner which is dangerous to the public, having regard to all the circumstances of the case, including the nature, condition, and use of the highway, and to the amount of traffic which actually is at the time, or which might reasonably be expected to be, on the highway, that person shall be guilty of an offence under this Act.

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(1) A "motor car" is defined (sect. 20, sub-sect. 1, *post*, p. 84) by reference to the definition in the Act of 1896.

(2) By sect. 20, sub-sect. 1 (*post*, p. 84), provisions of this Act relating to a public highway are extended to roadways to which the public have access.

(2) Any police constable may apprehend without warrant the driver of any car who commits an offence under this section within his view, if he refuses to give his name and address or produce his licence on demand, or if the motor car does not bear the mark or marks of identification.

(3) If the driver of any car who commits an offence under this section refuses to give his name or address, or gives a false name or address, he shall be guilty of an offence under this Act, and it shall be the duty of the owner of the car, if required, to give any information which it is within his power to give, and which may lead to the identification and apprehension of the driver, and if the owner fails to do so he also shall be guilty of an offence under this Act.

2. *Registration of motor cars.*—(1) Every motor car shall be registered with the council of a county or county borough, and every such council shall assign a separate number to every car registered with them.

(2) A mark indicating the registered number of the car and the council with which the car is registered shall be fixed on the car or on a vehicle drawn by the car, or on both, in such manner as the council require in conformity with regulations of the Local Government Board made under this Act.

(3) A fee of twenty shillings shall be charged by the council of a county or county borough on the registration of a car, except in the case of motor cycles, for which the fee shall be five shillings.

(4) If a car is used on a public highway without being registered, or if the mark to be fixed in accordance with this Act is not so fixed, or if, being so fixed, it is in any way obscured or rendered or allowed to become not easily distinguishable, the person driving the car shall be guilty of an offence under this Act, unless, in the case of a prosecution for obscuring a mark or rendering or allowing it



to become not easily distinguishable, he proves that he has taken all steps reasonably practicable to prevent the mark being obscured or rendered not easily distinguishable.

Provided that—

- (a) A person shall not be liable to a penalty under this section if he proves that he has had no reasonable opportunity of registering the car in accordance with this section, and that the car is being driven on a highway for the purpose of being so registered; and
- (b) The council of any county or county borough in which the business premises of any manufacturer of, or dealer in, motor cars are situated, may, on payment of such annual fee, not exceeding three pounds, as the council require, assign to that manufacturer or dealer a general identification mark which may be used for any car on trial after completion, or on trial by an intending purchaser, and a person shall not be liable to a penalty under this section while so using the car if the mark so assigned is fixed upon the car in the manner required by the council in accordance with regulations of the Local Government Board made under this Act.

3. *Licensing of drivers.*—(1) A person shall not drive a motor car on a public highway unless he is licensed for the purpose under this section, and a person shall not employ any person who is not so licensed to drive a motor car.

If any person acts in contravention of this provision he shall be guilty of an offence under this Act.

(2) The council of a county or county borough shall grant a licence to drive a motor car to any person applying for it who resides in that county or county borough on payment of a fee of five shillings, unless

the applicant is disqualified<sup>(3)</sup> under the provisions of this Act.

(3) A licence shall remain in force for a period of twelve months from the date on which it is granted, but shall be renewable, and the same provisions shall apply with respect to the renewal of the licence as apply with respect to the grant of the licence.

(4) A licence must be produced by any person driving a motor car when demanded by a police constable. If any person fails so to produce his licence, he shall be liable, on summary conviction, in respect of each offence to a fine not exceeding five pounds.

(5) Any person under the age of seventeen years shall be disqualified for obtaining a licence (except that a licence limited to driving motor cycles may be granted to a person over the age of fourteen years), and any person who already holds a licence shall be disqualified for obtaining another licence while the licence so held by him is in force.

4. *Suspension of licence and disqualification.*—(1) Any court before whom a person is convicted of an offence under this Act, or of any offence in connection with the driving of a motor car, other than a first or second offence, <sup>(4)</sup>consisting solely of exceeding any limit of speed fixed under this Act—

(a) may, if the person convicted holds any licence under this Act, suspend that licence for such time as the

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(3) That is to say, disqualified either as being under seventeen (sub-sect. 5, *infra*) or as declared after conviction under sect. 4. It will be observed that no other conditions, such as tests of experience or technical knowledge, are required for the grant of a licence.

(4) It is apprehended that these words, “consisting solely of exceeding any limit of speed fixed under this Act,” are intended to apply only to the words immediately preceding, “a first or second offence.” See sect. 9, sub-sect. 1 (*post*, p. 77).

court thinks fit, and, if the court thinks fit, also declare the person convicted disqualified for obtaining a licence for such further time after the expiration of the licence as the court thinks fit; and

- (b) may, if the person convicted does not hold any licence under this Act, declare him disqualified for obtaining a licence for such time as the court thinks fit; and
- (c) if the person convicted holds any licence under this Act, shall<sup>(5)</sup> cause particulars of the conviction and of any order of the court made under this section, to be indorsed upon any licence held by him, and shall also cause a copy of those particulars to be sent to the council by whom any licence so indorsed has been granted.

(2) Any person so convicted, if he holds any licence under this Act, shall produce the licence within a reasonable time for the purposes of indorsement, and if he fails to do so shall be guilty of an offence under this Act.

(3) A licence so suspended by the court shall during the term of suspension be of no effect, and a person whose licence is suspended or who is declared by the court to be disqualified for obtaining a licence shall during the period of suspension or disqualification be disqualified for obtaining a licence.

(4) Any person who is by virtue of an order of the court under this section disqualified for obtaining a licence may appeal against the order in the same manner as a person may appeal who is ordered to be imprisoned without the option of a fine<sup>(6)</sup>; and the court may, if they

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<sup>(5)</sup> It will be observed that indorsement of the licence is obligatory.

<sup>(6)</sup> The right of appeal to quarter sessions against a sentence of imprisonment without the option of a fine, imposed by a court of summary jurisdiction, is conferred by sect. 19 of the Summary

think fit, pending the appeal, defer the operation of the order.

(5) If any person, who under the provisions of this Act is disqualified for obtaining a licence, applies for or obtains a licence while he is so disqualified, or if any person whose licence has been indorsed applies for or obtains a licence without giving particulars of the indorsement, that person shall be guilty of an offence under this Act, and any licence so obtained shall be of no effect.

5. *Forgery, &c., of identification mark or licence.*—If any person forges or fraudulently alters or uses, or fraudulently lends or allows to be used by any other person, any mark for identifying a car or any licence under this Act he shall be guilty of an offence under this Act.

6. *Duty to stop in case of accident.*—A person driving a motor car shall, in any case, if an accident occurs to any person, whether on foot, on horseback, or in a vehicle, or to any horse or vehicle in charge of any person,<sup>(7)</sup> owing to the presence of the motor car on the road, stop, and, if required, give his name and address, and also the name and address of the owner and the registration mark or number of the car; and if any person knowingly acts in contravention of this section, he shall be liable, on summary conviction, in respect of the first offence to a fine not exceeding ten pounds, and in respect of the second offence to a fine not exceeding twenty pounds, and in respect of any subsequent offence to a fine not exceeding twenty pounds, or, in the discretion of the court, to a term of imprisonment not exceeding one month.

7. *Regulations by Local Government Board*—59 & 60 Vict. c. 36.—(1) The Local Government Board may, under

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Jurisdiction Act, 1879 (42 & 43 Vict. c. 49), and the conditions of appeal are contained in sect. 31 of the same statute.

(7) It will be observed that the accident need not be caused directly by the motor car, but only "owing to its presence,"

section six<sup>(8)</sup> of the Locomotives on Highways Act, 1896 (in this Act referred to as the principal Act), make regulations—

- (a) providing generally for facilitating the identification of motor cars, and in particular for determining, and regulating generally the size, shape, and character of the identifying marks to be fixed under this Act, and the mode in which they are to be fixed and to be rendered easily distinguishable whether by night or by day, and with respect to the registration of cars, and the entry of particulars, including particulars of the ownership of the car, in the register, and the giving of those particulars, and for making any particulars contained in the register available for use by the police, and for making the registration of a car void if the regulations as to registration are not complied with; and
- (b) with respect to the licences to be granted by the councils of counties or county boroughs under this Act, and in particular with respect to the register to be kept of those licences and the renewal of licences, and for providing special facilities for granting licences to persons not resident in the United Kingdom, and for communicating particulars thereof to adjoining and other county or county borough councils, and for making any particulars with respect to any persons whose licences are suspended or indorsed available for use by the police, and for preventing a person holding more than one licence.

(2) The councils of counties and county boroughs shall comply with any regulations so made by the Local Govern-

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(8) Under that section, sub-sect. 2, it is provided that every regulation shall forthwith be laid before both Houses of Parliament.

ment Board, and may if authorised by those regulations and in accordance therewith charge in respect of the entry of particulars of the ownership of a car on change of ownership such fee, not exceeding ten shillings, as may be prescribed by the regulations, and in respect of the issue of a new licence in the place of a licence lost or defaced, such fee not exceeding one shilling as may be prescribed by the regulations.

8. *Power to prohibit motor cars on special roads.*—The Local Government Board may, by regulations made under section six<sup>(9)</sup> of the principal Act, prohibit or restrict the driving of any motor cars, or of any special kind of motor cars, on any specified highway, or part of a highway, which does not exceed sixteen feet in width, or on which ordinary motor car traffic would, in their opinion, be especially dangerous.

9. *Rate of speed.*—(1) Section four<sup>(10)</sup> of the principal Act (which relates to the rate of speed of motor cars) is hereby repealed, but a person shall not, under any circumstances, drive a motor car on a public highway at a speed exceeding twenty miles per hour, and, within any limits or place referred to in regulations made by the Local Government Board with a view to the safety of the public<sup>(11)</sup> on the application of the local authority<sup>(12)</sup> of the area in which the

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(9) Under that section the Local Government Board is already empowered to make regulations, on the application of any local authority, prohibiting or restricting the use of locomotives in crowded streets, or in other places where such use may be attended with danger to the public. All regulations must forthwith be laid before both Houses of Parliament.

(10) That section enacts that “no light locomotive shall travel along a public highway at a greater speed than fourteen miles an hour, or than any less speed that may be prescribed by regulations of the Local Government Board.”

(11) The application of the local authority is not required for revoking or altering regulations under sub-sect. 3.

(12) “Local authority,” for the purposes of this section, is defined in sub-sect. 4 (*post*).

limits or place are situate, a person shall not drive a motor car at a speed exceeding ten miles per hour.<sup>(13)</sup>

If any person acts in contravention of this provision he shall be liable, on summary conviction,<sup>(14)</sup> in respect of the first offence to a fine not exceeding ten pounds, and in respect of the second offence to a fine not exceeding twenty pounds, and in respect of any subsequent offence to a fine not exceeding fifty pounds, but a person shall not be convicted under this provision for exceeding the limit of speed of twenty miles merely on the opinion of one witness as to the rate of speed.

(2) Where a person is prosecuted for an offence under this section, he shall not be convicted unless he is warned of the intended prosecution at the time the offence is committed, or unless notice of the intended prosecution is sent to him or to the owner of the car as entered on the register within such time after the offence is committed, not exceeding twenty-one days, as the court think reasonable.

(3) The Local Government Board may, without any application from the local authority,<sup>(15)</sup> after considering any objections which may be raised by the local authority, revoke or alter any regulation made by them under this section.

(4) For the purposes of this section the expression local authority means—

(a) as respects the City of London, the mayor, alder-

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(13) By sect. 12, sub-sect. 2 (*post*), the Local Government Board is specially empowered to make regulations as to speed for motor cars exceeding two tons in weight unladen.

(14) Similarly, in sect. 4, sub-sect. 1 (*ante*, p. 73), a lighter penalty is imposed for a first or second offence consisting solely of exceeding the speed limit.

(15) Regulations made under sub-sect. 1 by the Local Government Board can only be made on the application of the local authority.

men, and commons of the City of London in common council assembled; and

(b) as respects a municipal borough<sup>(16)</sup> with a population of over ten thousand according to the last census taken before the passing of this Act, the council of the borough; and

(c) as respects any other area, the county council.

10. *Erection of notice boards.*—(1) Local authorities within the meaning of the last preceding section shall give public notice of any regulation of the Local Government Board made in pursuance of this Act prohibiting or restricting the use of motor cars on any highway or part of a highway, or limiting the speed of motor cars within any limits or place, and for the purpose of giving effect to any such regulation shall place notices in conspicuous places on or near the highway, part of a highway, limits, or place to which the regulation refers.

(2) Subject to regulations as to size and colours to be made by the Local Government Board, local authorities within the meaning of the last preceding section shall within their areas cause to be set up sign posts denoting dangerous corners, cross roads, and precipitous places, where such sign posts appear to them to be necessary.

11. *Penalties and legal proceedings.*—(1) A person guilty of an offence under this Act for which no special penalty is provided shall be liable on summary conviction in respect of each offence to a fine not exceeding twenty pounds,<sup>(17)</sup> or in the case of a second or subsequent conviction to a fine not exceeding fifty pounds, or in the discretion of the court to imprisonment for a period not exceeding three months.

(2) Any person adjudged to pay a fine exceeding twenty

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<sup>(16)</sup> It is apprehended that a metropolitan borough is not a municipal borough within the meaning of this paragraph.

<sup>(17)</sup> Under the Act of 1896 (sect. 7) the maximum penalty was £10.



shillings under this Act may appeal against the conviction in the same manner as he may appeal if ordered to be imprisoned without the option of a fine.<sup>(18)</sup>

12. *Regulations as to maximum weight of cars.*—(1) The Local Government Board by regulations made under section six of the principal Act may, as respects any class of vehicle mentioned in the regulations, increase the maximum weights of three tons and four tons<sup>(19)</sup> mentioned in section one of that Act, subject to any conditions as to the use and construction of the vehicle which may be made by the regulations.

(2) The power of the Local Government Board to make regulations under section six of the Locomotives on Highways Act, 1896, shall, as respects motor cars exceeding two tons in weight unladen, include a power to make regulations as to speed.<sup>(20)</sup>

13. *Inland Revenue licences for motor car drivers*—32 & 33 Vict. c. 14—39 & 40 Vict. c. 16.—The definition of “male servant” in sub-section three of section nineteen of the Revenue Act, 1869, as amended by section five of the Customs and Inland Revenue Act, 1876,<sup>(21)</sup> shall be construed as if a person employed to drive a motor car were included in that definition.

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<sup>(18)</sup> This right of appeal is given generally by sect. 19 of the Summary Jurisdiction Act, 1879 (42 & 43 Vict. c. 49).

<sup>(19)</sup> These weights of three and four tons are those contained in the definition of a “light locomotive,” quoted as a footnote to sect. 20 (*post*, p. 84).

<sup>(20)</sup> These regulations as to speed are additional to those authorised by sect. 9 (*ante*).

<sup>(21)</sup> By that section “male servant” does not include a servant who, being *bonâ fide* employed in some other capacity than those specified in the Act of 1869, is occasionally or partially employed in any of the capacities there specified, and does not include a person who has been *bonâ fide* engaged to serve his employer for a portion only of each day, and does not reside in his employer’s house.

14. *Local inquiries by Local Government Board*—51 & 52 Vict. c. 41.—Sub-sections one and five of section eighty-seven of the Local Government Act, 1888 (which relates to local inquiries), shall apply for the purpose of the carrying out by the Local Government Board of any of their duties under this Act.

15. *Saving of liability*.—Nothing in this Act shall affect any liability of the driver or owner of a motor car by virtue of any statute or at common law.

16. *Application to servants of the Crown*.—It is hereby declared that this Act and the principal Act apply to persons in the public service of the Crown.

17. *Protection of Menai Bridge*.<sup>(22)</sup>—(1) A motor car shall not be driven on or over Menai Bridge except in accordance with regulations made by the Commissioners of Works.

(2) If any person acts in contravention of this section he shall be liable on summary conviction in respect of the first offence to a fine not exceeding ten pounds, and in respect of the second offence to a fine not exceeding twenty pounds, and in respect of any subsequent offence to a fine not exceeding fifty pounds.

18. *Application to Scotland*—52 & 53 Vict. c. 50.—In the application of this Act to Scotland—

(1) a reference to the Secretary for Scotland shall be substituted for a reference to the Local Government Board; and

(2) a reference to the council of a royal, parliamentary, or police burgh, containing within its boundaries, as ascertained, fixed, or determined for police purposes, a population according to the census for the time being last taken of or exceeding fifty thousand, shall be substituted for a reference to

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(<sup>22</sup>) A similar proviso for the protection of Menai Bridge is contained in the Locomotives Act, 1898 (61 & 62 Vict. c. 29, sect. 16), but not in the Locomotives on Highways Act, 1896.

the council of a county borough, and every other burgh shall be deemed to form part of the county within which it is situate; and

- (3) the road authority of any county or of any royal, parliamentary, or police burgh shall be the local authority within the meaning of the provisions of this Act which relate to the rate of speed and the erection of danger boards; and
- (4) a reference to sub-sections one and three of section ninety-three of the Local Government (Scotland) Act, 1889, shall be substituted for a reference to sub-sections one and five of section eighty-seven of the Local Government Act, 1888; and
- (5) any fine under this Act shall be recoverable by imprisonment in terms of the Summary Jurisdiction Acts; and
- (6) any person convicted of an offence under this Act and ordered to be imprisoned without the option of a fine or adjudged to pay a fine exceeding ten pounds shall have a right of appeal against the conviction. Such appeal shall lie to the sheriff depute, and shall be heard summarily. Such appeal may be taken either immediately after the judgment appealed against has been pronounced or within seven days thereafter, and upon such appeal being taken the sentence (if any) shall be suspended until the appeal has been disposed of: Provided that the appellant shall, at the time of taking such appeal, lodge in the hands of the clerk of court a bond with sufficient cautioner or otherwise give security satisfactory to the court for appearing before the sheriff depute. The sheriff depute is hereby authorised and empowered on such appeal to hear evidence, whether led at the original hearing or not, and to reconsider the merits of the case and reverse or confirm in whole

or in part the judgment appealed against, or give such new or different judgment as he in his discretion shall think fit; and save as provided by the Summary Prosecutions Appeals (Scotland) Act, 1875, his judgment shall be final and not subject to review; and

- (7) an appeal taken in terms of this Act by a person holding a licence against an order for suspension or disqualification shall be taken and disposed of as nearly as may be in the manner and subject to the conditions provided by the immediately preceding sub-section.

19. *Application to Ireland*—51 & 52 Vict. c. 41—14 & 15 Vict. c. 92—61 & 62 Vict. c. 36.—In the application of this Act to Ireland—

- (1) a reference to the Local Government Board for Ireland shall be substituted for a reference to the Local Government Board; and
- (2) Sub-sections one and three of article thirty-two of the Local Government (Application of Enactments) Order, 1898, shall be substituted for sub-sections one and five of section eighty-seven of the Local Government Act, 1888; and
- (3) Section twenty-three of the Summary Jurisdiction (Ireland) Act, 1851 (which gives a right of appeal), shall apply as respects convictions for offences under this Act as if any term of imprisonment without the option of a fine were substituted for a term of imprisonment exceeding one month; and
- (4) Sections one to four, inclusive, of the Criminal Evidence Act, 1898, shall extend to Ireland in the case of a person charged with any offence under this Act.

20. *Interpretation, commencement, and short title.*—

- (1) In this Act the expression “motor car” has the same meaning as the expression “light locomotive” has in the

principal Act,<sup>(23)</sup> as amended by this Act, except that, for the purpose of the provisions of this Act with respect to the registration of motor cars, the expression "motor car" shall not include a vehicle drawn by a motor car.

The provisions of this Act and of the principal Act shall apply in the case of a roadway to which the public are granted access in the same manner as they apply in the case of a public highway.

(2) This Act shall come into operation on the first day of January nineteen hundred and four.

(3) This Act may be cited as "The Motor Car Act, 1903"; and the Locomotives on Highways Act, 1896, and this Act may be cited together as "The Motor Car Acts, 1896 and 1903."

21. *Duration of Act.*—This Act shall continue in force till the thirty-first day of December nineteen hundred and six and no longer, unless Parliament shall otherwise determine.

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### 3 EDW. 7, CAP. 37.

*An Act to amend the Law relating to the occupation and ownership of Land in Ireland and for other purposes relating thereto, and to amend the Labourers (Ireland) Acts.*—[14th August, 1903.]

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(23) By sect. 1 of that Act "light locomotive" is interpreted to mean "any vehicle propelled by mechanical power if it is under three tons in weight [not including weight of water, fuel, or accumulator] and is not used for the purpose of drawing more than one vehicle (such vehicle with its locomotive not to exceed in weight unladen four tons), and is so constructed that no smoke or visible vapour is emitted therefrom except from any temporary or accidental cause"; and also a vehicle thus defined drawn by another.

## POOR PRISONERS' DEFENCE ACT, 1903.

3 EDW. 7, CAP. 38.

## INTRODUCTION.

This statute, as originally introduced into the House of Commons by a private member in a somewhat different form, was intended to regulate and extend a practice which has grown up at the Dorsetshire quarter sessions of defending all prisoners by counsel, gratuitously assigned to them by arrangement among the Bar. A somewhat similar practice has long prevailed in all criminal courts when a prisoner indicted for murder is not professionally represented.

As amended during its passage through Parliament, the scope of the statute was made both wider and narrower than its original intention. On the one hand, the defence of poor prisoners is extended so as to include the services of solicitor as well as counsel, and also the expenses of witnesses; and the cost of all these is made payable in the same manner as the expenses of a prosecution for felony. On the other hand, this privilege is not given to all poor prisoners, but only in those cases where it is thought desirable in the interests of justice. It should be observed that legal aid to a poor prisoner can be ordered only at one of two occasions, either (1) on committal for trial by the committing justices; or (2) after reading the depositions by the judge or quarter sessions chairman. It may very well happen that the need for legal assistance becomes apparent after committal and before the depositions can be read; but no steps can be taken during the intervening period.

## THE STATUTE.

*An Act to make provision for the Defence of Poor Prisoners.*—[14th August, 1903.]

Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual

and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. *Provision of legal aid*.—(1) Where it appears, having regard to the nature of the defence set up by any poor prisoner,<sup>(1)</sup> as disclosed in the evidence given or statement made by him before the committing justices,<sup>(2)</sup> that it is desirable in the interests of justice that he should have legal aid in the preparation and conduct of his defence, and that his means are insufficient to enable him to obtain such aid—

(a) the committing justices, upon the committal of the prisoner for trial;<sup>(3)</sup> or

(b) the judge of a court of assize or chairman<sup>(4)</sup> of a court of quarter sessions, at any time after reading the depositions,

may certify that the prisoner ought to have such legal aid, and thereupon the prisoner shall be entitled to have solicitor and counsel assigned to him, subject to the provisions of this Act.

(2) The expenses of the defence, including the cost of a copy of the depositions, the fees of solicitor and counsel, and the expenses of any witnesses shall be allowed and paid in the same manner as the expenses of a prosecution in cases of indictment for felony,<sup>(5)</sup> subject, nevertheless, to any rules under this Act and to

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(1) By sect. 3 “prisoner” is interpreted to include a person committed for trial on bail.

(2) By sect. 3 “committing justices” is interpreted to include a magistrate of the police courts of the metropolis and a stipendiary magistrate.

(3) It will be observed that there is no power to certify for legal aid for a poor prisoner at any time between committal for trial and the reading of the depositions.

(4) By sect. 3 “chairman” is interpreted to include recorder, or deputy recorder, or deputy chairman.

(5) The expenses of a prosecution in cases of indictment for felony are provided for by 7 Geo. 4, c. 64, sect. 22.

any regulations as to rates or scales of payment which may be made by one of His Majesty's Principal Secretaries of State.

2. *Rules*.—Rules for carrying this Act into effect may be made in the same manner and subject to the same conditions as Rules under the Prosecution of Offences Act, 1879.<sup>(6)</sup>

3. *Definitions*.—In this Act—

“Prisoner” includes a person committed for trial on bail.

“Committing justices” includes a magistrate of the police courts of the metropolis and a stipendiary magistrate.

“Chairman” includes recorder or deputy recorder or deputy chairman.

4. *Extent*.—This Act shall not extend to Scotland or Ireland.

5. *Short title*.—This Act may be cited as “The Poor Prisoners’ Defence Act, 1903,” and shall come into operation on the first day of January one thousand nine hundred and four.

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## HOUSING OF THE WORKING CLASSES ACT, 1903.

3 EDW. 7, CAP. 39.

### SUMMARY.

Sect.                      *General Amendments of Law.*

1. Maximum term for repayment of loans.
2. Transfer of powers and duties of Home Office to Local Government Board.
3. Rehousing obligations when land is taken under statutory powers.

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(<sup>6</sup>) By sect. 8 of that Act (42 & 43 Vict. c. 22) regulations for carrying the Act into effect may be made, rescinded, varied, or added to by the Attorney-General, with the approval of the Lord Chancellor and a Secretary of State; but the draft of such regulations is required to lie for not less than forty days before each House of Parliament.



**Sect.**                      *Amendments as to Schemes.*

4. Provisions on failure of local authority to make a scheme.
5. Amendment of procedure for confirming improvement scheme.
6. Power to modify schemes in certain cases.
7. Amendments as to scheme of reconstruction.

*Amendments as to Closing Orders, Demolition, &c.*

8. Amendment of procedure for closing orders.
9. Power to recover cost of demolition.
10. Recovery of possession from occupying tenants in pursuance of closing orders.

*Miscellaneous.*

11. Powers in connection with provision of dwelling accommodation or lodging-houses.
12. Condition in contracts for letting houses for the working classes.
13. Service of notices.

*Special Provisions as to London.*

14. Agreements between London County Council and metropolitan borough councils.
15. Provisions consequential on extension of period for repayment of loans.
16. Substitution of Secretary of State for Local Government Board.

*Supplemental.*

17. Short title and extent.  
Schedule.

## . INTRODUCTION.

This statute introduces a series of important amendments into the Housing of the Working Classes Act, 1890 (53 & 54 Vict. c. 70), which was mainly a consolidating statute. These amendments fall under three classes: (1) those giving further powers to local authorities; (2) those enabling the Local Government Board to take action in default of the local authority; (3) those imposing rehousing obligations when land is taken under statutory powers.

With regard to the first class of amendments, the most important is that contained in sect. 1, which raises the

maximum period for the repayment of loans from sixty to eighty years, thus considerably reducing the annual charge on the rates of a rehousing scheme; and at the same time excludes loans raised for the purpose of rehousing from the general limitations imposed with regard to total rateable value and total loans outstanding. Other amendments of this class are contained in sects. 5—7, which enable an improvement scheme to be carried out under certain circumstances without the expense and delay of confirmation by Parliament, and which also enable such a scheme to be modified in view of objections and to be extended to neighbouring lands. By sect. 11, the power to provide dwelling accommodation is made to include the power to provide shops and recreation grounds. Amendments of detail affect the procedure for obtaining closing orders (sect. 8), the recovery of the cost of demolition from the owner (sect. 9), the recovery of possession from occupying tenants (sect. 10), and the service of notices (sect. 13).

The second class of amendments is confined to sect. 4, which authorises the Local Government Board to enforce an improvement scheme on a local authority by means of mandamus in case of default. Hitherto the Local Government Board has had no power to do anything more than order a local inquiry.

The third class of amendments is contained in the schedule, which comprises a series of provisions that will henceforth apply whenever land with workmen's dwellings is taken under any statutory powers. Provisions of a similar nature have formerly been included in local acts and provisional orders, but they have sometimes been evaded by purchasing the land by agreement and not under the compulsory powers. Such evasion will no longer be possible; and the provisions apply not only to private persons and companies, but also to all public bodies. The most important provision is that the "undertaker" must provide accommodation for the same number

of persons of the working classes as it is proposed to displace, and in this number are to be included any who may have been displaced during the previous five years "in view of the acquisition of the land by the undertaker." Large powers to enforce these provisions are given to the Local Government Board, who may even require that the new dwellings are ready before the old buildings are handed over. For the purposes of these provisions an elaborate definition is given of the expression "working class," which is not elsewhere defined in connection with the Housing of the Working Classes Acts.

Finally, it may be mentioned here that (by sect. 10) in all future contracts on letting houses for the working classes the condition "that the house is at the commencement of the holding in all respects reasonably fit for human habitation," which was imposed by the act of 1890, is now strengthened by enacting that any agreement to the contrary shall be void.

#### THE STATUTE.

*An Act to amend the Law relating to the Housing of the Working Classes.*—[14th August, 1903.]

Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

#### *General Amendments of Law.*

1. *Maximum term for repayment of loans*—53 & 54 Vict. c. 70—38 & 39 Vict. c. 55.—(1) The maximum period which may be sanctioned as the period for which money may be borrowed by a local authority for the purposes of the Housing of the Working Classes Act, 1890 (in this Act referred to as "the principal Act"), or any Acts amending it, shall be eighty years, and as respects money so borrowed eighty years shall be substituted for

sixty years in section two hundred and thirty-four<sup>(1)</sup> of the Public Health Act, 1875.

(2) Money borrowed under the principal Act or any Acts (including this Act) amending it (in this Act collectively referred to as the Housing Acts) shall not be reckoned as part of the debt of the local authority for the purposes of the limitation on borrowing under subsections two and three<sup>(2)</sup> of section two hundred and thirty-four of the Public Health Act, 1875.

2. *Transfer of powers and duties of Home Office to Local Government Board*—52 & 53 Vict. c. 30.—(1) His Majesty may by Order in Council assign to the Local Government Board any powers and duties of the Secretary of State under the Housing Acts, or under any scheme made in pursuance of those Acts, and the powers of the Secretary of State under any local Act, so far as they relate to the housing of the working classes, and any such powers and duties so assigned shall become powers and duties of the Local Government Board.

(2) Section eleven<sup>(3)</sup> of the Board of Agriculture Act, 1889, shall apply with respect to the powers and duties transferred under this section as it applies with respect to

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(1) Sixty years is the maximum period for which money may be borrowed under that section.

(2) That section provides that “in the construction and for the purposes of any Act of Parliament, judgment, decree, order, award, deed, contract, or other document passed or made,” “but so far only as may be necessary for the exercise of the powers or the discharge of the duties” by that Act transferred, the name of the Board of Agriculture shall be substituted for other bodies.

(3) These limitations are, under sub-sect. 2, that the total of loans outstanding shall not exceed the rateable value of the area for two years; and under sub-sect. 3, that, if the sum proposed to be borrowed, with loans outstanding, should exceed the rateable value for one year, the Local Government Board shall not sanction the loan without a public inquiry.

the powers and duties transferred under that Act, with the substitution of the Local Government Board for the Board of Agriculture and of the date of the transfer under this section for the date of the establishment of the Board of Agriculture.

3. *Rehousing obligations when land is taken under statutory powers.*—Where under the powers given after the date of the passing of the Act by any local Act or Provisional Order, or Order having the effect of an Act, any land is acquired, whether compulsorily or by agreement, by any authority, company, or person, or where after the date of the passing of this Act any land is so acquired compulsorily under any general Act (other than the Housing Acts), the provisions set out in the Schedule to this Act shall apply with respect to the provision of dwelling accommodation for persons of the working class.

*Amendments as to Schemes.*

4. *Provisions on failure of local authority to make a scheme.*—(1) If, on the report made to the confirming authority on an inquiry directed by them under section ten<sup>(4)</sup> of the principal Act, that authority are satisfied that a scheme ought to have been made for the improvement of the area to which the inquiry relates, or of some part thereof, they may, if they think fit, order the local authority to make such a scheme, either under Part I. of the principal Act, or, if the confirming authority so direct, under Part II. of that Act, and to do all things necessary under the Housing Acts for carrying into execution the scheme so made, and the local authority shall accordingly make a scheme or direct a scheme to be prepared as if they had passed the resolution required

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(4) That section empowers the confirming authority, on the refusal of the local authority to make an improvement scheme, to hold a local inquiry, but nothing more.

undersection four<sup>(5)</sup> or section thirty-nine<sup>(6)</sup> of the principal Act, as the case may be, and do all things necessary under the Housing Acts for carrying the scheme into effect.

Any such order of the confirming authority may be enforced by mandamus.

(2) Any twelve or more ratepayers of the district shall have the like appeal under section sixteen of the principal Act<sup>(7)</sup> as is given to the twelve or more ratepayers who have made the complaint to the medical officer of health mentioned in that section.

5. *Amendment of procedure for confirming improvement scheme.*—(1) Section seven of the principal Act shall have effect as if the words “in the month of September or October or November”<sup>(8)</sup> were omitted from paragraph (a), and as if the words “during the thirty days next following the date of the last publication of the advertisement” were substituted for the words “during the month next following the month in which such advertisement is published”<sup>(9)</sup> in paragraph (b).

(2) The order of a confirming authority under subsection four of section eight of the principal Act<sup>(10)</sup> shall,

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(<sup>5</sup>) Under that section the resolution is to the effect that a particular area is an unhealthy area, and that an improvement scheme ought to be made in respect of it.

(<sup>6</sup>) Under that section the resolution refers to the demolition of buildings prejudicial to health under a closing order.

(<sup>7</sup>) That is to say, an appeal to the confirming authority against the default of the medical officer of health.

(<sup>8</sup>) These words fix the period during which notice of the completion of an improvement scheme is required to be advertised.

(<sup>9</sup>) These words fix the subsequent period during which notices of the scheme are required to be served on owners and occupiers.

(<sup>10</sup>) This is the provisional order declaring the limits of the area comprised in the scheme, and authorising such scheme to be carried into execution.

notwithstanding anything in that section, take effect without confirmation by Parliament—

- (a) if land is not proposed to be taken compulsorily; or
- (b) if, although land is proposed to be taken compulsorily, the confirming authority before making the order are satisfied that notice of the draft order has been served as required as respects a Provisional Order by sub-section five of the said section eight,<sup>(11)</sup> and also that the draft order has been published in the *London Gazette*, and that a petition against the draft order has not been presented to the confirming authority by any owner of land proposed to be taken compulsorily within two months after the date of the publication and the service of notice, or, having been so presented, has been withdrawn.

(3) For the purposes of the principal Act, the making of an order by a confirming authority, which takes effect under this section without confirmation by Parliament, shall have the same effect as the confirmation of the order by Act of Parliament, and any reference to a Provisional Order, made under section eight of the principal Act,<sup>(12)</sup> shall include a reference to an order which so takes effect without confirmation by Parliament.

6. *Power to modify schemes in certain cases.*—(1) If an order under sub-section four of section eight or under section thirty-nine of the principal Act, which, if no petition were presented, would take effect without confirmation by Parliament, is petitioned against, the confirming authority or the Local Government Board, as the case may

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<sup>(11)</sup> This sub-section requires that a copy of the provisional order must be served by the local authority upon the persons to whom notices are before required to be given, except tenants for a month or less.

<sup>(12)</sup> This includes (*inter alia*) the power to make the order a rule of the superior court, to be enforced accordingly.

be, may, if they think fit, on the application of the local authority, make any modifications in the scheme to which the order relates for the purpose of meeting the objections of the petitioner and withdraw the order sanctioning the original scheme, substituting for it an order sanctioning the modified scheme.

(2) The same procedure shall be followed as to the publication and giving notices, and the same provisions shall apply as to the presentation of petitions and the effect of the order, in the case of the order sanctioning the modified scheme, as in the case of the order sanctioning the original scheme, but no petition shall be received or have any effect except one which was presented against the original order, or one which is concerned solely with the modifications made in the scheme as sanctioned by the new order.

7. *Amendments as to scheme of reconstruction.*—Where a scheme for reconstruction under Part II. of the principal Act<sup>(13)</sup> is made, neighbouring lands may be included in the area comprised in the scheme if the local authority under whose direction the scheme is made are of opinion that that inclusion is necessary for making their scheme efficient, but the provision of sub-section two of section forty-one, as to the exclusion of any additional allowance in respect of compulsory purchase, shall not apply in the case of any land so included.

*Amendments as to Closing Orders, Demolition, &c.*

8. *Amendment of procedure for closing orders.*—(1) If in the opinion of the local authority any dwelling-house is not reasonably capable of being made fit for human habitation, or is in such a state that the occupation thereof should be immediately discontinued, it shall not be neces-

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(13) The provisions regarding a scheme for reconstruction are contained in sects. 39 and 40 of the Act of 1890.



sary for them before obtaining a closing order, to serve a notice on the owner or occupier of the premises to abate the nuisance,<sup>(14)</sup> and a justice may issue a summons for a closing order and a closing order may be granted, although such a notice has not been served.

(2) The Local Government Board may by order prescribe forms in substitution for those in the Fourth Schedule to the principal Act,<sup>(15)</sup> and section thirty-two of the principal Act shall have effect as if the forms so prescribed were referred to therein in lieu of the forms in that Schedule.

9. *Power to recover cost of demolition.*—Where the amount realised by the sale of materials under section thirty-four<sup>(16)</sup> of the principal Act is not sufficient to cover the expenses incident to the taking down and removal of a building, the local authority may recover the deficiency from the owner of the building as a civil debt in manner provided by the Summary Jurisdiction Acts, or under the provisions of the Public Health Acts relating to private improvement expenses.

10. *Recovery of possession from occupying tenants in pursuance of closing orders*—51 & 52 Vict. c. 43—1 & 2 Vict. c. 74.—Where default is made as respects any dwelling-house in obeying a closing order in the manner provided by sub-section three of section thirty-two<sup>(17)</sup> of

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(14) Notices on the owner or occupier before obtaining a closing order are not expressly required by sect. 32 of the Act of 1890, but by sect. 94 of the Public Health Act, 1875, which is incorporated in that section of the Act of 1890.

(15) Those forms relate to a closing order which has been obtained after notice.

(16) That section empowers the local authority, after a closing order has been made, to demolish the buildings and sell the materials.

(17) That sub-section provides that, within seven days after service of the notice, every occupying tenant and his family shall cease to inhabit the house, subject to a penalty of 20s. a day during default.

the principal Act, possession of the house may be obtained (without prejudice to the enforcement of any penalty under that provision), whatever may be the value or rent of the house, by or on behalf of the owner or local authority, either under sections one hundred and thirty-eight to one hundred and forty-five of the County Courts Act, 1888, or under the Small Tenements Recovery Act, 1838, as in the cases therein provided for, and in either case may be obtained as if the owner or local authority were the landlord.

Any expenses incurred by a local authority under this section may be recovered from the owner of the dwelling-house as a civil debt in manner provided by the Summary Jurisdiction Acts.

#### *Miscellaneous.*

11. *Powers in connection with provision of dwelling accommodation or lodging-houses.*—(1) Any power of the local authority under the Housing Acts, or under any scheme made in pursuance of any of those Acts, to provide dwelling accommodation or lodging-houses, shall include a power to provide and maintain, with the consent of the Local Government Board, and, if desired, jointly with any other person, in connection with any such dwelling accommodation or lodging-houses, any building adapted for use as a shop, any recreation grounds, or other buildings or land which in the opinion of the Local Government Board will serve a beneficial purpose in connection with the requirements of the persons for whom the dwelling accommodation or lodging-houses are provided, and to raise money for the purpose, if necessary, by borrowing.

(2) The Local Government Board may, in giving their consent to the provision of any land or building under this section, by order apply, with any necessary modifications, to such land or building any statutory provisions

which would have been applicable thereto if the land or building had been provided under any enactment giving any local authority powers for the purpose.

12. *Condition in contracts for letting houses for the working classes.*—Section seventy-five of the principal Act (which relates to the condition<sup>(18)</sup> to be implied on letting houses for the working classes) shall, as respects any contract made after the passing of this Act, take effect notwithstanding any agreement to the contrary, and any such agreement made after the passing of this Act shall be void.

13. *Service of notices.*—(1) Any notice required to be served under Part II. of the principal Act upon an owner shall, notwithstanding anything in section forty-nine<sup>(19)</sup> of that Act, be deemed to be sufficiently served if it is sent by post in a registered letter addressed to the owner or his agent at his usual or last known residence or place of business.

(2) Any document referred to in section eighty-seven<sup>(20)</sup> of the principal Act shall be deemed to be sufficiently served upon the local authority if addressed to that

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(18) That condition is “that the house is at the commencement of the holding in all respects reasonably fit for human habitation.”

(19) That section provides several alternative modes of serving notice on the owner: (1) If the owner and his residence or place of business are known and within the district, then by giving the notice to him, or for him to some inmate of the residence or place of business; (2) if not within the district, then by a registered letter; (3) if the owner or his residence, &c., is not known and cannot be ascertained, then by leaving it with some occupier or affixing it to the house. Finally, service upon an agent is deemed notice to the owner.

(20) Those documents are “any notice, summons, writ, or other proceeding at law or otherwise,” which under that section might be served on the local authority by delivering the same to their clerk, or leaving the same at his office with some person employed there.

authority or their clerk at the office of that authority and sent by post in a registered letter.

*Special Provisions as to London.*

14. *Agreements between London County Council and metropolitan borough councils.*—The council of a metropolitan borough may, if they think fit, pay or contribute towards the payment of any expenses of the London County Council under sub-section five<sup>(21)</sup> of section forty-six of the principal Act in connection with a scheme of reconstruction, and borrow any money required by them for the purpose under sub-section two<sup>(22)</sup> of the said section; but an order under sub-section six<sup>(23)</sup> shall not be necessary except in cases of disagreement between the county council and the council of the borough.

15. *Provisions consequential on extension of period for repayment of loans*—32 & 33 Vict. c. 102—18 & 19 Vict. c. 120.—For the purpose of carrying into effect the provisions of this Act as to the maximum period for which money may be borrowed, eighty years shall be substituted for sixty years in section twenty-seven<sup>(24)</sup> of the Metropolitan Board of Works (Loans) Act, 1869, and such sum

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(<sup>21</sup>) That sub-section provides that the expenses of a scheme shall be borne by the county council, unless, upon application to the Home Secretary, he shall order that the whole or any part of them ought to be paid by a vestry or district board (now a metropolitan borough).

(<sup>22</sup>) That sub-section applies the Metropolis Management Act, 1855 (18 & 19 Vict. c. 120), with reference to such borrowing.

(<sup>23</sup>) This is the order, referred to above, of the Home Secretary directing expenses to be paid by the metropolitan borough.

(<sup>24</sup>) That section requires the Metropolitan Board (now the London County Council) to carry to the consolidated loans fund (*inter alia*) such sum as the Treasury may from time to time order as necessary to pay the dividends on and to redeem all the consolidated stock within sixty years from the creation thereof.

as will be sufficient, with compound interest, to repay the money borrowed within such period, not exceeding eighty years, as may be sanctioned by the London County Council, shall be substituted for two pounds per cent.<sup>(25)</sup> in section one hundred and ninety of the Metropolis Management Act, 1855.

16. *Substitution of Secretary of State for Local Government Board.*—The Secretary of State shall be substituted for the Local Government Board in the application to the administrative county of London of the provisions of the Schedule to this Act and of the provisions of this Act which require the consent of the Local Government Board to the exercise of additional powers given to a local authority by this Act in connection with the provision of dwelling accommodation or lodging-houses, until the powers and duties of the Secretary of State under those provisions are transferred to the Local Government Board in pursuance of this Act.<sup>(26)</sup>

*Supplemental.*

17. *Short title and extent.*—(1) This Act may be cited as “The Housing of the Working Classes Act, 1903,” and the Housing of the Working Classes Acts, 1890 to 1900, and this Act, may be cited together as “The Housing of the Working Classes Acts, 1890 to 1903.”

(2) This Act shall not extend to Scotland or Ireland.

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SCHEDULE.

(Sections 3, 16.)

(1) If in the administrative county of London or in any borough or urban district, or in any parish not within a borough or urban district, the undertakers<sup>(27)</sup> have power to take under the enabling

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<sup>(25)</sup> This is the minimum percentage on the principal to be set aside as a sinking fund for paying off loans.

<sup>(26)</sup> That is to say, by order in council under sect. 2 (*ante*).

<sup>(27)</sup> The expression “undertakers” is defined in para. 12 (a).

Act<sup>(28)</sup> working-men's dwellings occupied by thirty or more persons belonging to the working class,<sup>(29)</sup> the undertakers shall not enter on any such dwellings in that county, borough, urban district, or parish, until the Local Government Board have either approved of a housing scheme under this schedule or have decided that such a scheme is not necessary.

For the purposes of this schedule a house shall be considered a working-man's dwelling if wholly or partially occupied by a person belonging to the working classes, and for the purpose of determining whether a house is a working-man's dwelling or not, and also for determining the number of persons belonging to the working classes by whom any dwelling-houses are occupied, any occupation on or after the fifteenth day of December next before the passing of the enabling Act, or, in the case of land acquired compulsorily under a general Act without the authority of an order, next before the date of the application to the Local Government Board under this schedule, for their approval of or decision with respect to a housing scheme, shall be taken into consideration.

(2) The housing scheme shall make provision for the accommodation of such number of persons of the working class as is, in the opinion of the Local Government Board, taking into account all the circumstances, required, but that number shall not exceed the aggregate number of persons of the working class displaced; and in calculating that number the Local Government Board shall take into consideration not only the persons of the working class who are occupying the working-men's dwellings which the undertakers have power to take, but also any persons of the working class who, in the opinion of the Local Government Board, have been displaced within the previous five years in view of the acquisition of land by the undertakers.

(3) Provision may be made by the housing scheme for giving undertakers who are a local authority,<sup>(30)</sup> or who have not sufficient powers for the purpose, power for the purpose of the scheme to appropriate land or to acquire land, either by agreement or compulsorily under the authority of a Provisional Order, and for giving any local authority power to erect dwellings on land so appropriated or acquired by them, and to sell or dispose of any such dwellings, and to raise money for the purpose of the scheme as for the purposes of Part III. of the principal Act, and for

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(28) The expression "enabling Act" is defined in para. 12 (b).

(29) The expression "working class" is defined in para. 12 (e).

(30) The expression "local authority" is defined in para. 12 (c).

regulating the application of any money arising from the sale or disposal of the dwellings ; and any provisions so made shall have effect as if they had been enacted in an Act of Parliament.

(4) The housing scheme shall provide that any lands acquired under that scheme shall, for a period of twenty-five years from the date of the scheme, be appropriated for the purpose of dwellings for persons of the working class, except so far as the Local Government Board dispense with that appropriation ; and every conveyance, demise, or lease of any such land shall be indorsed with notice of this provision, and the Local Government Board may require the insertion in the scheme of any provisions requiring a certain standard of dwelling-house to be erected under the scheme, or any conditions to be complied with as to the mode in which the dwelling-houses are to be erected.

(5) If the Local Government Board do not hold a local inquiry with reference to a housing scheme, they shall, before approving the scheme, send a copy of the draft scheme to every local authority, and shall consider any representation made within the time fixed by the Board by any such authority.

(6) The Local Government Board may, as a condition of their approval of a housing scheme, require that the new dwellings under the scheme, or some part of them, shall be completed and fit for occupation before possession is taken of any working-men's dwellings under the enabling Act.

(7) Before approving any scheme the Local Government Board may if they think fit require the undertakers to give such security as the Board consider proper for carrying the scheme into effect.

(8) The Local Government Board may hold such inquiries as they think fit for the purpose of their duties under this schedule, and sub-sections one and five of section eighty-seven of the Local Government Act, 1888 (which relate to local inquiries), shall apply for the purpose, and where the undertakers are not a local authority shall be applicable as if they were such an authority.

(9) If the undertakers enter on any working-men's dwelling in contravention of the provisions of this schedule, or of any conditions of approval of the housing scheme made by the Local Government Board, they shall be liable to a penalty not exceeding five hundred pounds in respect of every such dwelling :

Any such penalty shall be recoverable by the Local Government Board by action in the High Court, and shall be carried to and form part of the Consolidated Fund.

(10) If the undertakers fail to carry out any provision of the housing scheme, the Local Government Board may make such order as they think necessary or proper for the purpose of com-

elling them to carry out that provision, and any such order may be enforced by *mandamus*.

(11) The Local Government Board may, on the application of the undertakers, modify any housing scheme which has been approved by them under this schedule, and any modifications so made shall take effect as part of the scheme.

(12) For the purposes of this schedule—

- (a) The expression “undertakers” means any authority, company, or person who are acquiring land compulsorily or by agreement under any local Act or Provisional Order or order having the effect of an Act, or are acquiring land compulsorily under any general Act :
- (b) The expression “enabling Act” means any Act of Parliament or Order under which the land is acquired :
- (c) The expression “local authority” means the council of any administrative county and the district council of any county district, or, in London, the council of any metropolitan borough, in which in any case any houses in respect of which the rehousing scheme is made are situated, or in the case of the City the Common Council :
- (d) The expression “dwelling” or “house” means any house or part of a house occupied as a separate dwelling :
- (e) The expression “working class”<sup>(§1)</sup> includes mechanics, artisans, labourers, and others working for wages ; hawkers, costermongers, persons not working for wages, but working at some trade or handicraft without employing others, except members of their own family, and persons other than domestic servants whose income in any case does not exceed an average of thirty shillings a week, and the families of any of such persons who may be residing with them.

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(§1) There is no express definition of “working classes” in the Housing of the Working Classes Act, 1890. In the Settled Land Act, 1890 (53 & 54 Vict. c. 69, sect. 18), the provisions of sect. 74 of that Act, relating to the sale of land for the erection of buildings for the “working classes,” are extended to all classes of persons who earn their livelihood by wages or salaries. It should be observed that the present definition applies only to rehousing obligations when land is taken under statutory powers (sect. 3, *ante*, p. 92).



EXPIRING LAWS CONTINUANCE ACT,  
1903.

3 EDW. 7, CAP. 40.

*An Act to continue various expiring laws.*—[14th August, 1903.]

Whereas the Acts mentioned in the Schedule to this Act are, in so far as they are in force and are temporary in their duration, limited to expire on the thirty-first day of December nineteen hundred and three :

And whereas it is expedient to provide for the continuance as in this Act mentioned of those Acts, and of the enactments amending or affecting the same :

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. *Continuance of Acts in Schedule.*—(1) The Acts mentioned in the Schedule to this Act shall, to the extent specified in column three of that Schedule, be continued until the thirty-first day of December nineteen hundred and four, and shall then expire, unless further continued.

(2) Any unrepealed enactments amending or affecting the enactments continued by this Act shall, in so far as they are temporary in their duration, be continued in like manner, whether they are mentioned in the Schedule to this Act or not.

2. *Short title.*—This Act may be cited as “The Expiring Laws Continuance Act, 1903.”

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## SCHEDULE.

| 1 & 2<br>Session and Chapter—Short<br>Title.                                      | 3.<br>How far continued.                                                                             | 4.<br>Amending<br>Acts.                                                                                                                          |
|-----------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| (1)<br>5 & 6 Will. 4, c. 27. The<br>Linen Manufactures (Ire-<br>land) Act, 1835.  | The whole Act.                                                                                       | 3 & 4 Vict.<br>c. 91.<br>5 & 6 Vict.<br>c. 68.<br>7 & 8 Vict.<br>c. 47.<br>30 & 31 Vict.<br>c. 60.                                               |
| (2)<br>3 & 4 Vict. c. 89. The Poor<br>Rate Exemption Act, 1840.                   | The whole Act.                                                                                       | —                                                                                                                                                |
| (3)<br>4 & 5 Vict. c. 30. The Ord-<br>nance Survey Act, 1841.                     | The whole Act.                                                                                       | 33 Vict. c.<br>13.<br>47 & 48 Vict.<br>c. 43.<br>52 & 53 Vict.<br>c. 30.                                                                         |
| (4)<br>10 & 11 Vict. c. 98. The<br>Ecclesiastical Jurisdiction<br>Act, 1847.      | As to the provi-<br>sions continued by<br>21 & 22 Vict. c.<br>50.                                    | —                                                                                                                                                |
| (5)<br>14 & 15 Vict. c. 104. The<br>Episcopal and Capitular<br>Estates Act, 1851. | The whole Act.                                                                                       | 17 & 18 Vict.<br>c. 116.<br>21 & 22 Vict.<br>c. 94.<br>22 & 23 Vict.<br>c. 46.<br>23 & 24 Vict.<br>c. 124.<br>31 & 32 Vict.<br>c. 114, s.<br>10. |
| (6)<br>17 & 18 Vict. c. 102. The<br>Corrupt Practices Preven-<br>tion Act, 1854.  | So much as is con-<br>tinued by the Cor-<br>rupt and Illegal<br>Practices Preven-<br>tion Act, 1883. | 26 & 27 Vict.<br>c. 29, s. 6.<br>31 & 32 Vict.<br>c. 125.<br>46 & 47 Vict.<br>c. 51.                                                             |
| (7)<br>23 & 24 Vict. c. 19. The<br>Labourers (Ireland) Act,<br>1860.              | The whole Act.                                                                                       | —                                                                                                                                                |

| 1 & 2.<br>Session and Chapter—Short<br>Title.                                             | 3.<br>How far continued.                                                                             | 4.<br>Amending<br>Acts.                                                                                                |
|-------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------|
| (8)<br>24 & 25 Vict. c. 109. The<br>Salmon Fishery Act, 1861.                             | As to the appoint-<br>ment of inspec-<br>tors, s. 31.                                                | 49 & 50 Vict.<br>c. 39, s. 3.<br>55 & 56 Vict.<br>c. 50.                                                               |
| (9)<br>26 & 27 Vict. c. 105. The<br>Promissory Notes Act,<br>1863.                        | The whole Act.                                                                                       | 45 & 46 Vict.<br>c. 61.                                                                                                |
| (10)<br>27 & 28 Vict. c. 20. The<br>Promissory Notes (Ireland)<br>Act, 1864.              | The whole Act.                                                                                       | —                                                                                                                      |
| (11)<br>28 & 29 Vict. c. 46. The<br>Militia (Ballot Suspension)<br>Act, 1865.             | The whole Act.                                                                                       | 45 & 46 Vict.<br>c. 49.                                                                                                |
| (12)<br>28 & 29 Vict. c. 83. The<br>Locomotives Act, 1865.                                | The whole Act.                                                                                       | 41 & 42 Vict.<br>c. 58.<br>41 & 42 Vict.<br>c. 77.<br>(Part II.)<br>59 & 60 Vict.<br>c. 36.<br>61 & 62 Vict.<br>c. 29. |
| (13)<br>29 & 30 Vict. c. 52. The<br>Prosecutions Expenses Act,<br>1866.                   | The whole Act.                                                                                       | —                                                                                                                      |
| (14)<br>31 & 32 Vict. c. 125. The<br>Parliamentary Elections<br>Act, 1868.                | So much as is con-<br>tinued by the Cor-<br>rupt and Illegal<br>Practices Preven-<br>tion Act, 1883. | 42 & 43 Vict.<br>c. 75.<br>46 & 47 Vict.<br>c. 51.                                                                     |
| (15)<br>32 & 33 Vict. c. 21. The Cor-<br>rupt Practices Commission<br>Expenses Act, 1869. | The whole Act.                                                                                       | 34 & 35 Vict.<br>c. 61.                                                                                                |
| (16)<br>32 & 33 Vict. c. 56. The En-<br>dowed Schools Act, 1869.                          | As to the powers of<br>making schemes.                                                               | 36 & 37 Vict.<br>c. 87.<br>37 & 38 Vict.<br>c. 87.<br>52 & 53 Vict.<br>c. 40.                                          |

| 1 & 2.<br>Session and Chapter—Short<br>Title.                                                                           | 3.<br>How far continued. | 4.<br>Amending<br>Acts.                                                                 |
|-------------------------------------------------------------------------------------------------------------------------|--------------------------|-----------------------------------------------------------------------------------------|
| (17)<br>33 & 34 Vict. c. 112. The<br>Glebe Loan (Ireland) Act,<br>1870.                                                 | The whole Act.           | 34 & 35 Vict.<br>c. 100.<br>49 Vict. c. 6.                                              |
| (18)<br>34 & 35 Vict. c. 87. The<br>Sunday Observation Prose-<br>cution Act, 1871.                                      | The whole Act.           | —                                                                                       |
| (19)<br>35 & 36 Vict. c. 33. The<br>Ballot Act, 1872.                                                                   | The whole Act.           | 45 & 46 Vict.<br>c. 50<br>(Municipal Elec-<br>tions).                                   |
| (20)<br>38 & 39 Vict. c. 84. The Par-<br>liamentary Elections (Re-<br>turning Officers) Act, 1875.                      | The whole Act.           | 46 & 47 Vict.<br>c. 51, s.<br>32.<br>48 & 49 Vict.<br>c. 62.<br>49 & 50 Vict.<br>c. 57. |
| (21)<br>39 & 40 Vict. c. 21. The<br>Jurors Qualification (Ire-<br>land) Act, 1876.                                      | The whole Act.           | 57 & 58 Vict.<br>c. 49.<br>61 & 62 Vict.<br>c. 37, s.<br>69.                            |
| (22)<br>41 & 42 Vict. c. 41. The Par-<br>liamentary Elections Re-<br>turning Officers Expenses<br>(Scotland) Act, 1878. | The whole Act.           | 48 & 49 Vict.<br>c. 62.<br>49 & 50 Vict.<br>c. 58.<br>51 & 55 Vict.<br>c. 49.           |
| (23)<br>41 & 42 Vict. c. 72. The Sale<br>of Liquors on Sunday (Ire-<br>land) Act, 1878.                                 | The whole Act.           | —                                                                                       |
| (24)<br>43 Vict. c. 18. The Parlia-<br>mentary Elections and<br>Corrupt Practices Act, 1880.                            | The whole Act.           | 46 & 47 Vict.<br>c. 51.                                                                 |
| (25)<br>43 & 44 Vict. c. 42. The Em-<br>ployers' Liability Act,<br>1880.                                                | The whole Act.           | —                                                                                       |

| 1 & 2.<br>Session and Chapter—Short<br>Title.                                                              | 3.<br>How far continued.                                                                                                               | 4.<br>Amending<br>Acts.                                                                                                                                                                  |
|------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (26)<br>44 & 45 Vict. c. 5. The<br>Peace Preservation (Ire-<br>land) Act, 1881.                            | The whole Act.                                                                                                                         | 49 & 50 Vict.<br>c. 24.<br>50 & 51 Vict.<br>c. 20.                                                                                                                                       |
| (27)<br>46 & 47 Vict. c. 51. The Cor-<br>rupt and Illegal Practices<br>Prevention Act, 1883.               | The whole Act.                                                                                                                         | 58 & 59 Vict.<br>c. 40.                                                                                                                                                                  |
| (28)<br>46 & 47 Vict. c. 60. The<br>Labourers (Ireland) Act,<br>1883.                                      | The whole Act.                                                                                                                         | 48 & 49 Vict.<br>c. 77.<br>49 & 50 Vict.<br>c. 59.<br>54 & 55 Vict.<br>c. 48.<br>54 & 55 Vict.<br>c. 71.<br>55 & 56 Vict.<br>c. 7.<br>59 & 60 Vict.<br>c. 53.<br>61 & 62 Vict.<br>c. 37. |
| (29)<br>47 & 48 Vict. c. 70. The<br>Municipal Elections (Cor-<br>rupt and Illegal Practices)<br>Act, 1884. | The whole Act.                                                                                                                         | 56 & 57 Vict.<br>c. 73.                                                                                                                                                                  |
| (30)<br>49 & 50 Vict. c. 29. The<br>Crofters Holdings (Scot-<br>land) Act, 1886.                           | As to the powers of<br>the Commis-<br>sioners for the<br>enlargement of<br>holdings, s. 22.                                            | 50 & 51 Vict.<br>c. 24.<br>51 & 52 Vict.<br>c. 63.<br>54 & 55 Vict.<br>c. 41.                                                                                                            |
| (31)<br>51 & 52 Vict. c. 55. The Sand<br>Grouse Protection Act,<br>1888.                                   | The whole Act.                                                                                                                         | —                                                                                                                                                                                        |
| (32)<br>52 & 53 Vict. c. 40. The<br>Welsh Intermediate Educa-<br>tion Act, 1889.                           | As to the powers of<br>the joint educa-<br>tion committee<br>and the suspen-<br>sion of the powers<br>of the Charity<br>Commissioners. | 53 & 54 Vict.<br>c. 60.                                                                                                                                                                  |

| 1 & 2.<br>Session and Chapter—Short<br>Title.                                    | 3.<br>How far continued.                                        | 4.<br>Amending<br>Acts. |
|----------------------------------------------------------------------------------|-----------------------------------------------------------------|-------------------------|
| (33)<br>58 & 59 Vict. c. 21. The Seal<br>Fisheries (North Pacific)<br>Act, 1895. | The whole Act.                                                  | —                       |
| (34)<br>59 Vict. c. 1. The Local<br>Government (Elections)<br>Act, 1896.         | The whole Act.                                                  | —                       |
| (35)<br>59 & 60 Vict. c. 48. The<br>Light Railways Act, 1896.                    | As to the powers<br>of the Light<br>Railway Com-<br>missioners. | —                       |
| (36)<br>61 & 62 Vict. c. 49. The Vac-<br>cination Act, 1898.                     | The whole Act.                                                  | —                       |

### 3 EDW. 7, CAP. 41.

*An Act to make further provision for defraying the expenses of the purchase of Land and Buildings and the construction of Buildings and Works in connection with certain Public Departments.*—[14th August, 1903.]

## COUNTY COURTS ACT, 1903.

### 3 EDW. 7, CAP. 42.

#### INTRODUCTION.

This statute, which was introduced by Sir Albert Rollit, gave rise to much discussion when before the Standing Committee on Law in the House of Commons. It was argued that, by raising the limit of county court jurisdiction from £50 to £100, it would seriously augment the duties of some at least of the judges, without providing

any adequate machinery to deal with the increase of work. Possibly in view of this argument the commencement of the Act has been postponed until 1st January, 1905, which will afford opportunity for further legislation, if thought necessary. Under the present statute, the only provision for facilitating its application is that contained in sect. 5, which empowers the Crown by order in council to transfer actions for a claim exceeding £50 to some specified court or courts within the circuit. Nothing whatever is done to increase the number of county court judges, or to modify the areas of different circuits with reference to their enlarged jurisdiction and the increased business to be imposed on them.

By sect. 4, the number of jurymen in a county court action is raised from five to eight. And by sect. 6 the Lord Chancellor is given larger powers to define the position, duties, and salary of registrars.

#### THE STATUTE.

*An Act to extend the Jurisdiction of the County Courts.*

—[14th August, 1903.]

Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. *Short title.*—This Act may be cited as “The County Courts Act, 1903.”

2. *Commencement of Act.*—This Act shall come into operation on the first day of January one thousand nine hundred and five.

3. *Extension of jurisdiction of court*—51 & 52 Vict. c. 43.—The portions of the fifty-sixth, fifty-seventh, fifty-eighth, fifty-ninth, sixtieth, eighty-first, ninety-sixth, one hundred and sixteenth, one hundred and thirty-

eighth, and one hundred and thirty-ninth sections<sup>(1)</sup> of the County Courts Act, 1888, containing the words "fifty pounds" are hereby repealed, and in lieu thereof there shall be substituted the words "one hundred pounds."

4. *Juries*.—Section one hundred and two<sup>(2)</sup> of the County Courts Act, 1888, shall be read as if the word "eight" were substituted for the word "five."

5. *Transference of actions in which the plaintiff claims more than fifty pounds by virtue of this Act*.—It shall be lawful for His Majesty by Order in Council to provide that the actions in which the plaintiff claims a sum exceeding fifty pounds by virtue of this Act shall be tried in any court, where His Majesty is satisfied that due provision has been made for carrying on the business of the court without interference with the ordinary jurisdiction of the court, and of which the judge of the court in which such actions may be commenced is the judge,<sup>(3)</sup> and that the court to which such actions may be transferred for trial shall have the same jurisdiction in such actions as it would have had in case they had been commenced therein,<sup>(4)</sup> and

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(1) Those are the sections in which a claim in a county court is limited to £50.

(2) That section provides that the number of jurymen in a county court action shall be five, which number is now raised to eight. It may be observed that the word "five" occurs a second time in the same section, where the maximum fine to be levied on a defaulting juror is £5.

(3) This has the effect of limiting the transfer to another court within the same circuit. Apart from the City of London Court, the only circuits with a single court are Nos. 41 (Clerkenwell) and 44 (Westminster).

(4) This apparently contemplates the transference once for all to one or more courts within a circuit of all actions for amounts exceeding £50 commenced within the same circuit. But it does not expressly prohibit the re-transfer of such actions from time to time according to the varying exigencies of the case.



that the judgment of the court in which such actions are tried shall have the same effect as if the judgment therein had been the judgment of the court in which they were commenced.

6. *Registrars*.—(1) Where two or more districts are consolidated, notwithstanding anything in section forty-five<sup>(5)</sup> of the County Courts Act, 1888, contained, the Lord Chancellor, with the consent of the Treasury, may make such provision for the duties of the registrar and otherwise as he may think fit.

(2) Where an order has been made as to a registrar under section forty-five<sup>(6)</sup> of the County Courts Act, 1888, he shall account for and pay over to the Exchequer all fees whatsoever received by him after the date of such order in such manner as the Lord Chancellor, with the concurrence of the Treasury, may direct.

7. *Rules*.—The power to make rules of court in accordance with the one hundred and sixty-fourth section<sup>(7)</sup> of the County Courts Act, 1888, shall extend to making rules for carrying this Act into effect.

8. *Construction*.—This Act and the County Courts Act, 1888, shall be construed as one Act.

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(<sup>5</sup>) That section relates to the salary of the registrar, and also provides that in certain cases the registrar shall not practise as a solicitor, subject to the consent of any registrar appointed before the passing of the Act of 1888.

(<sup>6</sup>) That is to say, an order by the Lord Chancellor, to be laid before Parliament, directing that the registrar shall not practise as a solicitor.

(<sup>7</sup>) This section empowers the Lord Chancellor to appoint a rule committee of five judges, whose rules may be allowed, disallowed, or altered by the Lord Chancellor.

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## DISEASES OF ANIMALS ACT, 1903.

3 EDW. 7, CAP. 43.

*An Act to amend the Diseases of Animals Act, 1894, in relation to Sheep Scab.*—[14th August, 1903.]

Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. *Compulsory adoption of remedies for sheep scab, &c.*—57 & 58 Vict. c. 57.—Section twenty-two of the Diseases of Animals Act, 1894 (which empowers the Board of Agriculture to make orders for the better prevention of disease among animals, and to authorise local authorities to make regulations for the like purpose), shall be construed and have effect as if the following paragraph were inserted therein, namely :—

“(xiiia.) For prescribing, regulating, and securing the periodical treatment of all sheep by effective dipping, or by the use of some other remedy for sheep scab.”

2. *Power of examination of sheep.*—(1) An inspector of the Board of Agriculture, and, if so authorised by order of the Board, an inspector of the local authority, may, subject to the direction of the authority appointing the inspector, and for the purposes of any order or regulation under this Act, enter any premises and examine any sheep thereon.

(2) The owner and the person in charge of any sheep shall comply with all reasonable requirements of the inspector as to the collection and penning of the sheep, and afford all other reasonable facilities for the examination of the sheep by the inspector.

3. *Power for local authority to provide facilities for sheep-dipping.*—The local authority may provide, fit up,

and maintain portable dipping tanks or, with the sanction of the Board of Agriculture, dipping places, and afford the use thereof, and of all necessary appliances and materials in connection therewith, to the public upon such terms and conditions as the local authority may think fit, and any sums received by a local authority for such use shall be applied by them towards the discharge of their expenses under the Diseases of Animals Act, 1894:

Provided that no dipping place shall be used for the purposes of this section if such use would injuriously affect the water in any stream, reservoir, aqueduct, well, pond, or place constructed or used for the supply of water for drinking or other domestic purposes.

4. *Application of Act to Ireland.*—In the application of this Act to Ireland, “the Department of Agriculture and Technical Instruction for Ireland” shall be substituted for “the Board of Agriculture.”

5. *Short title.*—This Act may be cited as “The Diseases of Animals Act, 1903,” and shall be construed as one with the Diseases of Animals Acts, 1894 and 1896, and may be cited with those Acts as “The Diseases of Animals Acts, 1894 to 1903.”

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3 EDW. 7, CAP. 44.

*An Act for regulating the Business of Marine Store Dealers and Dealers in Second-hand Goods in Ireland.*  
—[14th August, 1903.]

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## EMPLOYMENT OF CHILDREN ACT, 1903.

3 EDW. 7, CAP. 45.

Sect.

## SUMMARY.

1. Power to make by-laws for regulating the employment of children.
2. Power to make by-laws for the regulation of street trading by person under sixteen.
3. General restrictions on employment of children.
4. General provisions as to by-laws.
5. Offences and penalties.
6. Offences by agents or workmen and by parents.
7. Limitation of time.
8. Power of officer of local authority to enter place of employment.
9. Employment in factories.
10. Saving for industrial and other schools.
11. Incorporation and amendment of sect. 3 of 57 & 58 Vict. c. 41.
12. Expenses of Act in England and Wales.
13. Definitions.
14. Application to Scotland.
15. Expenses of Act in Scotland.
16. Application to Ireland.
17. Commencement of Act.
18. Short title.

## INTRODUCTION.

The present statute was introduced into the House of Commons by a private member, and was considerably modified during its passage through Parliament. It may be regarded as to some extent an amendment of the Prevention of Cruelty to Children Act, 1894 (57 & 58 Vict. c. 41). Sect. 3 of that Act, regulating the employment of children in public entertainments, is expressly re-enacted (by sect. 11) with amendments; other provisions of that Act are applied; and it is provided (by sect. 4, sub-sect. 6) that by-laws under that Act shall henceforth be made by the same authority, and confirmed in the same way, as by-laws under this Act.

The provisions of the statute fall under two classes: (1) general restrictions on the employment of children under fourteen; (2) power to local authorities to make by-laws imposing special restrictions on the employment of children and also on street trading by persons under sixteen.

The general restrictions (sect. 3) include the prohibition of the employment of any child (1) between the hours of 9 p.m. and 6 a.m., subject to variation by the by-law of a local authority; (2) in street trading, if the child be under eleven; (3) in any other occupation, if the child is employed half time under the Factory and Workshop Act, 1901; (3) in lifting or moving anything too heavy; (4) in any occupation injurious to life, limb, health, or education.

The power to local authorities to make by-laws restricting the employment of children (sect. 1) relates to (1) their age, (2) the outside hours, (3) the number of hours in a day or week; and may extend to the absolute or conditional prohibition of any specified occupation.

The power to make by-laws regulating street trading by persons under sixteen (sect. 2) includes (1) conditions as to sex and age, (2) the requirement of a licence, (3) limitations as to days, hours, and places, (4) the wearing of a badge, (5) general conduct. Special regard must be paid to the desirability of preventing the employment of girls under sixteen. "Street trading" is interpreted (sect. 13) to include the hawking of newspapers, matches, and flowers, playing, singing, or performing for profit, and shoe blacking.

All by-laws must be confirmed by the Home Secretary. Thirty days must elapse after their publication before they are confirmed. The Home Secretary is required to consider any objections that may be made to him, and is authorised to direct the holding of a local inquiry.

Sect. 3 of the Prevention of Cruelty to Children Act, 1894, which empowers a petty sessional court to grant a licence for a child above seven to take part in a public

entertainment, is expressly re-enacted (sect. 11), subject to the amendment that no licence shall be granted to any child under ten. But this requires to be read in connection with sect. 3, sub-sect. 1, which prohibits altogether the employment of any child under fourteen between the hours of 9 p.m. and 6 a.m., subject to variation by the by-law of a local authority. Therefore, no child under ten can henceforth be employed in a theatre at all, nor can any child under fourteen be employed in a theatre at night, except when specially permitted by a by-law of the local authority.

By sect. 8 a justice of the peace may empower an officer of the local authority to enter a place where there is reason to believe that a child is illegally employed.

#### THE STATUTE.

*An Act to make better provision for regulating the Employment of Children.*—[14th August, 1903.]

Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. *Power to make by-laws for regulating the employment of children.*—Any local authority<sup>(1)</sup> may make by-laws—

- (i) prescribing for all children<sup>(2)</sup>, or for boys and girls separately, and with respect to all occupations or to any specified occupation—

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(1) By sect. 13 (*post*, p. 126) "local authority" is interpreted to mean the City of London, a municipal borough with a population of over 10,000, an urban district with a population of over 20,000, and elsewhere the county council.

(2) By sect. 13 (*post*, p. 125) "child" is interpreted to mean a person under the age of fourteen.

- (a) the age below which employment<sup>(3)</sup> is illegal; and
  - (b) the hours between which employment is illegal; and
  - (c) the number of daily and weekly hours beyond which employment is illegal:
- (ii) prohibiting absolutely or permitting, subject to conditions, the employment of children in any specified occupation.

2. *Power to make by-laws for the regulation of street trading by persons under sixteen.*—Any local authority may make by-laws with respect to street trading<sup>(4)</sup> by persons under the age of sixteen, and may by such by-laws—

- (a) prohibit such street trading, except subject to such conditions as to age, sex, or otherwise, as may be specified in the by-law, or subject to the holding of a licence to trade to be granted by the local authority;
- (b) regulate the conditions on which such licences may be granted, suspended, and revoked;
- (c) determine the days and hours during which, and the places at which, such street trading may be carried on;
- (d) require such street traders to wear badges;
- (e) regulate generally the conduct of such street traders:

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(\*) By sect. 13 (*post*, p. 125) “employment” is interpreted to include employment in any labour exercised by way of trade or for the purposes of gain, whether the gain be to the child or to any other person.

(4) By sect. 13 (*post*, p. 126) “street trading” is interpreted to include the hawking of newspapers, matches, flowers, and other articles, playing, singing, or performing for profit, shoe blacking, and any other like occupation carried on in streets or public places.

Provided as follows:—

- (1) The grant of a licence or the right to trade shall not be made subject to any conditions having reference to the poverty or general bad character of the person applying for a licence or claiming to trade;
- (2) The local authority, in making by-laws under this section, shall have special regard to the desirability of preventing the employment of girls under sixteen in streets or public places.

3. *General restrictions on employment of children.*<sup>(5)</sup>—

(1) A child shall not be employed between the hours of nine in the evening and six in the morning: Provided that any local authority may, by by-law, vary these hours either generally or for any specified occupation.

(2) A child under the age of eleven years shall not be employed in street trading.

(3) No child who is employed half-time under the Factory and Workshop Act, 1901, shall be employed in any other occupation.

(4) A child shall not be employed to lift, carry, or move anything so heavy as to be likely to cause injury to the child.

(5) A child shall not be employed in any occupation likely to be injurious to his life, limb, health, or education, regard being had to his physical condition.

(6) If the local authority send to the employer of any child a certificate signed by a registered medical practitioner that the lifting, carrying, or moving of any specified weight is likely to cause injury to the child, or that any

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<sup>(5)</sup> By sect. 9 (*post*, p. 124) it is provided that, in the application of this section to children employed under the Factory and Workshop Act, the Metalliferous and Coal Mines Regulation Acts, the inspectors appointed under those Acts shall be substituted for the local authority in respect of such employment.



specified occupation is likely to be injurious to the life, limb, health, or education of the child, the certificate shall be admissible as evidence in any subsequent proceedings against the employer in respect of the employment of the child.

4. *General provisions as to by-laws*—57 & 58 Vict. c. 41.—(1) A by-law made under this Act shall not have any effect until confirmed by the Secretary of State, and shall not be so confirmed until at least thirty days after the local authority have published it in such manner as the Secretary of State may by general or special order direct.

(2) The Secretary of State shall, before confirming any by-law, consider any objections to it which may be addressed to him by persons affected or likely to be affected thereby.

(3) The Secretary of State may, before confirming any by-law, order that a local inquiry be held with respect to the by-law or with respect to any objections thereto. The person holding any such inquiry shall receive such remuneration as the Secretary of State may determine, and that remuneration and the expenses of the local inquiry shall be paid by the local authority making the by-law.

(4) By-laws made under this Act may apply either to the whole of the area of the local authority, or to any specified part thereof.

(5) By-laws made by a county council shall not be of any force or effect within any borough or urban district the council of which is constituted a local authority under this Act<sup>(6)</sup>.

(6) By-laws under the Prevention of Cruelty to

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(<sup>6</sup>) That is to say, by sect. 13 (*post*, p. 126) a borough with a population of over 10,000, and an urban district with a population of over 20,000.

Children Act, 1894<sup>(7)</sup>, shall be made by the same authority and confirmed in the same way as by-laws under this Act.

5. *Offences and penalties.*—(1) If any person employs a child or other person under the age of sixteen in contravention of this Act, or of any by-law under this Act, he shall be liable on summary conviction to a fine not exceeding forty shillings, or, in case of a second or subsequent offence, not exceeding five pounds.

(2) If any parent or guardian<sup>(8)</sup> of a child or other person under the age of sixteen has conduced to the commission of the alleged offence by wilful default, or by habitually neglecting to exercise due care, he shall be liable on summary conviction to the like fine.

(3) If any person under the age of sixteen contravenes the provisions of any by-law as to street trading made under this Act, he shall be liable on summary conviction to a fine not exceeding twenty shillings, and in case of a second or subsequent offence, if a child<sup>(9)</sup>, to be sent to an industrial school, and, if not a child, to a fine not exceeding five pounds.

(4) In lieu of ordering a child to be sent under this section to an industrial school, a court of summary jurisdiction may order the child to be taken out of the charge or control of the person who actually has the charge or control of the child, and to be committed to the charge and control of some fit person who is willing to undertake the same until such child reaches the age of sixteen years: And the provisions of sections seven and eight of

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(7) Under sect. 22 (a) of that Act by-laws were subject to sect. 184 of the Public Health Act, 1875.

(8) By sect. 13 (*post*, p. 125) “guardian” is interpreted to include any person who is liable to maintain or has the actual custody of the child.

(9) By sect. 13 (*post*, p. 125) “child” is interpreted to mean a person under the age of fourteen.

the Prevention of Cruelty to Children Act, 1894<sup>(10)</sup>, shall, with the necessary modifications, apply to any order for the disposal of a child made under this sub-section.

*6. Offences by agents or workmen and by parents.—*

(1) Where the offence of taking a child into employment in contravention of this Act is in fact committed by an agent or workman of the employer, such agent or workman shall be liable to a penalty as if he were the employer.

(2) Where a child is taken into employment in contravention of this Act on the production, by or with the privity of the parent, of a false or forged certificate, or on the false representation of his parent that the child is of an age at which such employment is not in contravention of this Act, that parent shall be liable to a penalty not exceeding forty shillings.

(3) Where an employer is charged with any offence under this Act he shall be entitled, upon information duly laid by him, to have any other person whom he charges as the actual offender brought before the court at the time appointed for hearing the charge, and if, after the commission of the offence has been proved, the court is satisfied that the employer had used due diligence to comply with the provisions of the Act, and that the other person had committed the offence in question without the employer's knowledge, consent, or connivance, the other person shall be summarily convicted of the offence, and the employer shall be exempt from any fine.

(4) When it is made to appear to the satisfaction of an inspector or other officer charged with the enforcement of this Act, at the time of discovering the offence, that the employer had used all due diligence to enforce com-

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(10) Those sections relate to the maintenance of a child when committed to the custody of any person under the order of a court, and to the religious persuasion of the person to whom the child is committed.

pliance with this Act, and also by what person the offence had been committed, and also that it had been committed without the knowledge, consent, or connivance of the employer, and in contravention of his order, then the inspector or officer shall proceed against the person whom he believes to be the actual offender in the first instance without first proceeding against the employer.

7. *Limitation of time.*—With respect to summary proceedings for offences and fines under this Act, and any by-laws made thereunder, the information shall be laid within three months<sup>(11)</sup> after the commission of the offence.

8. *Power of officer of local authority to enter place of employment.*—If it appear to any justice of the peace, on the complaint of an officer of the local authority acting under this Act, that there is reasonable cause to believe that a child is employed in contravention of this Act in any place, whether a building or not, such justice may by order under his hand empower an officer of the local authority to enter such place at any reasonable time, within forty-eight hours from the date of the order, and examine such place and any person therein touching the employment of any child therein.

Any person refusing admission to an officer authorised by an order under this section, or obstructing him in the discharge of his duty, shall for each offence be liable on summary conviction to a penalty not exceeding twenty pounds.

9. *Employment in factories*—1 *Edw. 7, c. 22—35 & 36*

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<sup>(11)</sup> Under the Prevention of Cruelty to Children Act, 1894 (sect. 18, sub-sect. 3), the corresponding limitation of time is six months. By sect. 4, sub-sect. 6 (*ante*), by-laws under that Act are to be made by the same authority, and confirmed in the same way, as by-laws under this Act. It may, therefore, be a question whether they are not by-laws made under this Act for the purposes of the present section.

*Vict. c. 77—50 & 51 Vict. c. 58.*—By-laws made under this Act shall not apply to any child above twelve employed in pursuance of the Factory and Workshop Act, 1901<sup>(12)</sup>, or the Metalliferous Mines Regulation Act, 1872,<sup>(13)</sup> or the Coal Mines Regulation Act, 1887,<sup>(14)</sup> so far as regards that employment; and in the application of section three<sup>(15)</sup> to children employed under those Acts the inspectors appointed under those Acts shall be substituted for the local authority in respect of such employment.

10. *Saving for industrial and other schools.*—Nothing in this Act or in any by-law made thereunder shall apply to the exercise of manual labour by any child under order of detention in a certified industrial or reformatory school, or by any child while receiving instruction in manual labour in any school.

11. *Incorporation and amendment of sect. 3 of 57 & 58 Vict. c. 41.*—Section three of the Prevention of Cruelty to Children Act, 1894 (which regulates the employment of children in public entertainments)<sup>(16)</sup> shall have effect as if re-enacted in this Act: Provided as follows:—

- (1) A licence under that section shall not be granted to any child under the age of ten years;<sup>(17)</sup> and

<sup>(12)</sup> The employment of children under twelve is prohibited by sect. 62 of that Act. The provisions as to the employment of other children are contained in sects. 25 and 27.

<sup>(13)</sup> The provisions as to the employment of children are contained in sects. 4 and 5 of that Act.

<sup>(14)</sup> The provisions as to the employment of children are contained in sects. 4 to 10 of that Act.

<sup>(15)</sup> This section (*ante*, p. 119) contains general restrictions on the employment of children not made under by-laws.

<sup>(16)</sup> That section empowers a petty sessional court to grant a licence for any child above seven to take part in any entertainment, or in any circus or other place of public amusement, or to be trained as an acrobat or for a dangerous performance.

<sup>(17)</sup> Under that section a licence might be granted for any child above seven years of age.

- (2) Any inspector or other officer charged with the execution of this Act shall have and may exercise all the powers of an inspector of factories and workshops under that section<sup>(18)</sup>, and that section shall apply accordingly.

12. *Expenses of Act in England and Wales.*—Any expenses incurred by a local authority in England and Wales in carrying into effect the provisions of this Act or any by-law made thereunder shall be defrayed in the case of a county out of the county fund, and in the case of a borough out of the borough fund or borough rate, and in the case of any other urban district out of any rate or fund applicable for defraying expenses incurred in the execution of the Public Health Acts: Provided that a county council shall not raise any sum on account of their expenses under this Act within any borough or urban district the council of which is a local authority under this Act.<sup>(19)</sup>

13. *Definitions.*—In this Act—

The expression “child” means a person under the age of fourteen years:<sup>(20)</sup>

The expression “guardian,”<sup>(21)</sup> used in reference to a child, includes any person who is liable to maintain or has the actual custody of the child:

The expressions “employ” and “employment,” used in reference to a child, include employment in any

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(18) By sub-sect. 2 of that section a factory inspector is empowered to enter and inspect any place of public entertainment at which the employment of a child is licensed.

(19) That is to say, by sect. 13 (*post*), a borough with a population of over 10,000, and an urban district with a population of over 20,000.

(20) There is no provision as to presumption of age, as in sect. 17 of the Prevention of Cruelty to Children Act, 1894.

(21) Under the Prevention of Cruelty to Children Act, 1894 (sect. 23, sub-sect. 1), “parent” is interpreted to include “guardian.”

labour exercised by way of trade or for the purposes of gain, whether the gain be to the child or to any other person :

The expression "local authority" means, in the case of the City of London, the mayor, aldermen, and commons of that city in common council assembled, in the case of a municipal borough with a population according to the census of nineteen hundred and one of over ten thousand, the borough council, and in the case of any other urban district with a population according to the census of nineteen hundred and one of over twenty thousand, the district council, and elsewhere the county council :

The expression "street trading" includes the hawking of newspapers, matches, flowers, and other articles, playing, singing, or performing for profit, shoe-blackening, and any other like occupation carried on in streets or public places.

14. *Application to Scotland*—41 & 42 Vict. c. 78—1 Edw. 7, c. 9—55 & 56 Vict. c. 55.—In the application of this Act to Scotland—

- (1) The Secretary for Scotland shall be substituted for the Secretary of State :
- (2) "The sheriff or sheriff-substitute" shall be substituted for "a court of summary jurisdiction":
- (3) Any fine or penalty under this Act shall be recoverable by imprisonment in terms of the Summary Jurisdiction Acts :
- (4) The expression "local authority," in sections one and three of this Act, shall mean the school board; and in section two of this Act shall mean, in the case of a royal, Parliamentary, or police burgh having, within its boundary for police purposes, according to the census of nineteen hundred and one, a population of or

exceeding seven thousand, and in the case of the burgh of Coatbridge, the town council, and elsewhere the county council, and for the purposes of section two every burgh other than those hereinbefore specified shall be held to form part of the county within which it is situated: Provided that in section eight of the Local Government (Scotland) Act, 1889, the expression "purposes hereinafter mentioned" shall be deemed to include the purposes of this Act:

- (5) Nothing in this Act shall affect the power of the school board to grant exemptions in certain employments as provided by sub-section three of section seven of the Education (Scotland) Act, 1878, and the expression "this Act" in the said section shall be deemed to include the Employment of Children Act, 1903:
- (6) A by-law shall not be made by a council under this Act until the expiry of a period of one month after such by-law as proposed to be made has been communicated to the clerk to each school board of a parish, burgh, or district comprised or partly comprised within the area of such council for the purposes of this Act, and such council shall give due consideration to any observations received from any such school board within such period; and
- (7) Nothing in this Act shall make it lawful for any child to be employed in contravention of section six of the Education (Scotland) Act, 1878, or section two of the Education (Scotland) Act, 1901:
- (8) Section two hundred and seventy-six of the Burgh Police (Scotland) Act, 1892, is hereby repealed.

15. *Expenses of Act in Scotland.*—Any expenses incurred by a local authority in Scotland in carrying into



effect the provisions of this Act or any by-laws made thereunder shall be paid, where the local authority is a county council, out of the public health general assessment leviable within the county or a district of the county, provided that in any royal, Parliamentary, or police burgh having, according to the census of nineteen hundred and one, a population of less than seven thousand, a proportion of such expenses corresponding to the valuation of such burgh shall be paid to the county council out of the public health general assessment leviable in such burgh, in compliance with a requisition to that effect to be sent to the town council of such burgh annually not later than the month of October in each year, and, where the local authority is a town council, out of the public health general assessment, and shall be paid, where the local authority is a school board, out of the school rate.

16. *Application to Ireland*—41 & 42 Vict. c. 52.—In the application of this Act to Ireland—

- (1) The Lord Lieutenant shall be substituted for the Secretary of State :
- (2) The expression “ local authority ” means, in the case of an urban district with a population according to the census of nineteen hundred and one of over five thousand, the district council, and elsewhere the county council :
- (3) Proceedings under this Act may be brought by or in the name of any officer of the local authority, or by an officer of a school attendance committee, or by a constable :
- (4) All expenses and costs to be incurred by a local authority in the execution of this Act shall be defrayed in the case of the council of a county borough or of a district council out of any rate or fund applicable to the purposes of the Public Health (Ireland) Act, 1878, and in the case of a county council out of the county fund, and in such

case the amount required therefor may be raised by means of the poor rate equally over so much of the county as does not comprise any urban district the council whereof is constituted a local authority under this Act.

17. *Commencement of Act.*—This Act shall come into operation on the first day of January one thousand nine hundred and four.

18. *Short title.*—This Act may be cited as “The Employment of Children Act, 1903.”

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## REVENUE ACT, 1903.

3 EDW. 7, CAP. 46.

### INTRODUCTION.

The present statute, which may be regarded as supplementary to the Finance Act (*ante*, pp. 6-12), introduces a number of minor amendments in the law relating to Customs and Inland Revenue.

Under Stamps, a period of fifteen days is fixed for the payment of duty on increase of capital by a company (sect. 5); securities on the exportation of coal are exempted from duty (sect. 6); in the case of collateral or substituted securities, the duty of 6d. per £100 is limited to a maximum of 10s. (sect. 7); the duty on policies of insurance on ships under construction is reduced from 6d. per £100 to 3d. per £100, without any time limit of twelve months (sect. 8); and the duty on commissions in the army and navy is abolished (sect. 9).

Under Taxes, the assessment of inhabited house duty on tenements and flats is modified, and the rate on tenements of an annual value between £40 and £60 is reduced to 6d. per £ (sect. 11); and professional assistance by a barrister, solicitor, or accountant is permitted on the

hearing of income tax appeals before the special Commissioners (sect. 13).

Under Miscellaneous, in the case of the fixed duty payable on small estates of £300 or £500, if the gross value of the estate should ultimately be found to exceed such amounts, the fixed duty may be allowed for as a deduction from the estate duty due (sect. 14).

#### THE STATUTE.

*An Act to make certain amendments of the Law relating to Customs and Inland Revenue, and of the Law relating to the powers and duties of the National Debt Commissioners.*—[14th August, 1903.]

Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

#### PART I.—CUSTOMS AND EXCISE.

1. *Molasses used for food for stock*—1 Edw. 7, c. 7.—  
(1) Molasses imported into Great Britain or Ireland shall not be liable to duty under section two<sup>(1)</sup> of the Finance Act, 1901, if it is to be used solely for the purpose of food for stock and such conditions are complied with in respect thereof as to proof, security, and otherwise as may be imposed by the Commissioners of Customs for the purpose of protecting the revenue.

(2) An allowance at the rate of one shilling per hundredweight shall be made to a refiner on molasses produced in Great Britain or Ireland from sugar on which duty has been paid on importation if the molasses

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<sup>(1)</sup> The rate of duty imposed under that section ranges from 2s. 9d. to 1s. per cwt., according to the proportion of sweetening matter. Molasses, when cleared for use by a licensed distiller in the manufacture of spirits, are already exempted from duty by that section.

is to be used solely for the purpose of food for stock and such conditions are complied with in respect thereof as to proof, security, and otherwise as may be imposed by the Commissioners of Customs or Commissioners of Inland Revenue, as the case requires, for the purpose of protecting the revenue.

(3) If any person acts in contravention of any condition imposed by the Commissioners of Customs or Commissioners of Inland Revenue under this section, that person shall in respect of each offence be liable to a penalty not exceeding fifty pounds.

2. *Extension of 1 Edw. 7, c. 7, as to manufacture of saccharin.*—Section nine of the Finance Act, 1901 (which relates to regulations as to excise duty on glucose, &c.), shall (so far as it does not already so apply)<sup>(2)</sup> apply to saccharin, including substances of a like nature or use as it applies to glucose, and the Commissioners of Inland Revenue may make regulations under that section as to the manufacture, storage, and warehousing without payment of duty of saccharin, and for requiring that the premises in which saccharin is manufactured, warehoused, or stored are approved by them and properly secured.

3. *Charge of duty on actual quantity of sugar, &c., cleared from warehouse*—39 & 40 Vict. c. 36.—The provisions of section ninety-eight of the Customs Consolidation Act, 1876, which relate to the charging of duty upon the quantity of goods ascertained by weight, measure, or strength at the time of actual delivery thereof, shall apply to sugar and molasses when cleared from the warehouse for home use, as they apply to the specially excepted goods mentioned in that section.<sup>(3)</sup>

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(2) That section already applies to saccharin only so far as regulations may be made prohibiting its manufacture except by persons holding a licence. Regulations for manufacture under that section apply only to glucose.

(3) These excepted goods are tobacco, wine, spirits, figs, currants, and raisins, upon which the duties are made chargeable

4. *Provisions as to warehouses*—43 & 44 Vict. c. 24—44 & 45 Vict. c. 12.—(1) A distiller's warehouse may be provided by the distiller under section forty-nine<sup>(4)</sup> of the Spirits Act, 1880, either within or without the premises upon which the spirits are distilled, but if the warehouse is not within those premises, the Commissioners may attach to their approval of the warehouse such conditions as they think fit, and if those conditions are not for the time being observed, the warehouse shall be deemed to be a warehouse not approved by the Commissioners.

(2) Goods may be warehoused, under section eighteen<sup>(5)</sup> of the Customs and Inland Revenue Act, 1881, in an Excise warehouse if the warehouse is approved by the Commissioners of Inland Revenue, and, if an Excise warehouse is so approved, the approval of the Treasury shall not be required.

## PART II.—STAMPS.

5. *Payment of duty on the capital of companies*—54 & 55 Vict. c. 39.—The statement of the amount of any increase of registered capital of any company registered under the Companies Acts, 1862 to 1900, which is required by section one hundred and twelve<sup>(6)</sup> of the Stamp Act, 1891, to be delivered to the Registrar of Joint Stock Companies shall be delivered duly stamped with the duty

on the ascertained quantity, &c., at time of delivery, not according to landing accounts, unless deficiency has been caused by improper means.

(4) That section enables a distiller to provide a warehouse only on the same premises where the spirit has been distilled.

(5) That section requires the approval of the Treasury for both a Customs and an Excise warehouse.

(6) That section, which imposes a duty of 2s. per £100 of capital, fixes no time within which the statement of increase of capital is to be delivered, nor within which the duty is to be paid.

charged thereon within fifteen days after the passing of the resolution by which the registered capital is increased, and, in default of that delivery, the duty with interest thereon at the rate of five per cent. per annum from the passing of the resolution shall be a debt to His Majesty recoverable from the company.

6. *Exemption from stamp duty of security on export of coal*—39 & 40 Vict. c. 36—1 Edw. 7, c. 7.—Any bond or notice given with reference to the exportation of coal or the carriage of coal coastwise for the purpose of the security required under section one hundred and four of the Customs Consolidation Act, 1876, or under the Fourth Schedule to the Finance Act, 1901, shall be exempt from stamp duty, and may be received and acted upon, although not stamped.

7. *Reduction of stamp duty in the case of substituted securities*—54 & 55 Vict. c. 39.—The whole amount of duty payable under or by reference to paragraph (2) of the heading “Mortgage Bond, Debenture, Covenant, and Warrant of Attorney” in the First Schedule to the Stamp Act, 1891, on any instrument being a collateral, or auxiliary, or additional, or substituted security, or by way of further assurance, shall not exceed ten shillings.<sup>(7)</sup>

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(7) The corresponding duty chargeable on substituted securities under the Stamp Act, 1891 (Schedule I.), was 6d. per £100. The new maximum duty of 10s. will therefore afford entire relief whenever the capital sum involved exceeds £2000. This relief will be especially valuable in the not uncommon case where a supplemental deed conveys fresh property to the trustees of a debenture trust, to be held on the trusts of the original deed. It has been suggested that this amendment of the existing law is intended to meet the hardship caused by the recent decision of the Court of Appeal in *British Oil and Cake Mills Limited v. Commissioners of Inland Revenue* (1903, 1 K. B. 689), where a conveyance by a company to the trustees of a debenture stock trust deed of property, in pursuance of a covenant in the trust deed, was held liable to duty at 6d. per cent. on the amount of the debenture stock as being “an auxiliary security or by way

8. *Stamping of policies of insurance on ships under construction, &c.*—A policy of insurance made or purporting to be made upon or to cover any ship or vessel, or the machinery or fittings belonging to the ship or vessel whilst under construction, or repair, or on trial, shall be sufficiently stamped for the purposes of the Stamp Act, 1891, and the Acts amending that Act, if stamped as a policy of sea insurance made for a voyage.<sup>(8)</sup> and though made for a time exceeding twelve months shall not be deemed to be a policy of sea insurance made for time.<sup>(9)</sup>

9. *Repeal of stamp duty on commissions in army and navy.*—Stamp duty shall cease to be chargeable on commissions to officers in the army, royal marines, or navy.<sup>(10)</sup>

### PART III.—TAXES.

10. *Income tax allowance on friendly societies' insurance premiums*—18 & 19 Vict. c. 35—43 & 44 Vict. c. 19.—  
(1) The proviso to section one<sup>(11)</sup> of the Income Tax (Insurance) Act, 1855 (which limits the income tax allowances for premiums in respect of insurances with

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of further assurance.” For a definition of “collateral security,” which is undefined in the Stamp Act, 1891, reference may be made to the case of *Jones v. Inland Revenue Commissioners* (1895, 1 Q. B. 494), as applied by the above case, where it was interpreted to mean “something that secures a right already acquired under some other instrument or power.”

(<sup>8</sup>) By the Stamp Act, 1891 (Schedule I.), the rate of duty on a policy of sea insurance made for a voyage is 3d. per £100, whereas the rate of duty on a policy made for time exceeding six months is 6d. per £100.

(<sup>9</sup>) By sect. 93, sub-sect. 2, “no policy of sea insurance made for time shall be made for any time exceeding twelve months.”

(<sup>10</sup>) The duty chargeable on commissions under the Stamp Act, 1891 (Schedule I.), was £1 10s. in the army or royal marines, and 5s. in the navy.

(<sup>11</sup>) That proviso, which limits the premiums to periods of not less than three months, is expressly repealed by sect. 17, sub-sect. 1 (*post*).

friendly societies), shall cease to have effect, but, where the premiums payable in respect of any insurance to which that section extends are made for shorter periods than three months, the production of a certificate signed by an officer of the society to the surveyor of taxes for the district specifying the correct amount of premiums paid during the year shall be a condition of obtaining relief under that section.

(2) If any person wilfully gives or produces a false certificate under this section he shall forfeit the sum of fifty pounds, and that sum may be recovered as a penalty under section twenty-one<sup>(12)</sup> of the Taxes Management Act, 1880.

11. *Inhabited house duty on houses let in tenements or flats*—53 & 54 Vict. c. 8.<sup>(13)</sup>—(1) Where a house, so far as it is used as a dwelling-house, is used for the sole purpose of providing separate dwellings—

(a) The value of any dwelling in the house which is of an annual value below twenty pounds shall be excluded from the annual value of the house for the purposes of inhabited house duty; and

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<sup>(12)</sup> By sub-sect. 3 of that section all penalties exceeding £20 are recoverable in the High Court, and the mode of proceeding in the High Court is specified in sub-sect. 1.

<sup>(13)</sup> This section takes the place of sub-sect. 2 of sect. 26 of the Customs and Inland Revenue Act, 1890 (53 Vict. c. 8), which sub-section is expressly repealed by sect. 17, sub-sect. 1 (*post*), except so far as it is applied for the purposes of the present statute. By that sub-section the assessment to inhabited house duty is discharged in the case of “any house originally built or adapted by additions and alterations and used for the sole purpose of providing separate dwellings for persons at rents not exceeding for each dwelling the rate of 7s. 6d. a week, and occupied only by persons paying such rents.” The introduction of annual value instead of amount of rent, and also the reduction of duty on dwellings of an annual value of between £20 and £40, were first made by sect. 4 of the Customs and Inland Revenue Act, 1891 (54 & 55 Vict. c. 25), which section is also repealed.



- (b) The rate of inhabited house duty in respect of any dwelling in the house of an annual value of twenty pounds but not exceeding forty pounds shall be reduced to threepence ; and
- (c) The rate of inhabited house duty in respect of any dwelling in the house of an annual value exceeding forty pounds but not exceeding sixty pounds shall be reduced to sixpence.

(2) The provisions of this section as respects dwellings of an annual value not exceeding forty pounds shall not take effect with regard to any such dwelling unless such a certificate as to accommodation and sanitary condition is produced to the General Commissioners as defined by section five<sup>(14)</sup> of the Taxes Management Act, 1880, as is mentioned in sub-section (2) of section twenty six of the Customs and Inland Revenue Act, 1890, and the provisions of that sub-section as to the certificate<sup>(15)</sup> shall apply for the purpose.

12. *Provision as to property in Scotland on the boundary of general tax Commissioners' areas.*—Where any lands and heritages in Scotland are partly in the jurisdiction of one body of general Commissioners and partly in the jurisdiction of another, or where it is desirable for the convenience of assessment to transfer any lands and heritages from the jurisdiction of one body of general Commissioners to the jurisdiction of another such body,

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(14) By that section "General Commissioners" is interpreted to mean the Commissioners for the general purposes of the income tax and inhabited house duties, or any two or more of them acting in or for any division under or in the execution of the Tax Acts.

(15) This certificate is to be made by the medical officer of health for the district, or some other medical practitioner specially appointed, to the effect that "the house is so constructed as to afford suitable accommodation for each of the families or persons inhabiting it, and that due provision is made for their sanitary requirements."

the Commissioners of Inland Revenue at the request of the general Commissioners concerned, shall, by order in writing, determine which body of general Commissioners shall have the jurisdiction, and the whole lands and heritages aforesaid shall be within such jurisdiction accordingly.

13. *Professional representation on income tax appeals.*—If upon any appeal under the Income Tax Acts, the Commissioners for the general purposes of the said Acts refuse to permit a barrister or solicitor to plead before them or to hear any accountant, the appellant may, in lieu of proceeding with the appeal before them, appeal to the Commissioners for the special purposes of the said Acts, and the last-mentioned Commissioners are hereby required to hear the barrister, solicitor, or accountant.

The term “accountant” in this section means a person who has been admitted as a member of an incorporated society of accountants.

#### PART IV.—MISCELLANEOUS.

14. *Provision as to fixed duty on small estates*—57 & 58 Vict. c. 30—44 & 45 Vict. c. 12.—Where, in the case of a person dying after the commencement of this Act, the fixed duty of thirty shillings or fifty shillings has been deposited or paid under section sixteen of the Finance Act, 1894 (which relates to the estate duty on small estates), and it is afterwards found that the gross value of the property on which estate duty is payable exceeds three hundred or five hundred pounds, as the case may be, the Commissioners of Inland Revenue, if they are satisfied that there were reasonable grounds for the original estimate of the value of the property, may (notwithstanding anything in section thirty-five<sup>(16)</sup> of the

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(16) Under that section it is expressly provided that, when the value of an estate is subsequently discovered to exceed £200

Customs and Inland Revenue Act, 1881) allow an amount equal to the fixed duty deposited or paid to be deducted from the estate duty payable in respect of the property.

15. *Basis for calculation of Government annuities*—51 & 52 Vict. c. 15, s. 1.—In section one of the National Debt (Supplemental) Act, 1888 (which relates to the basis for the calculation of the price of Government annuities), two and a half per cent. Consolidated stock within the meaning of the National Debt (Conversion) Act, 1888, shall as from the first day of September nineteen hundred and three be substituted for Bank annuities bearing interest at the rate of two and a half per cent. per annum.

16. *Regulations as to payments made by and discharges given to National Debt Commissioners*.—(1) The National Debt Commissioners, with the concurrence of the Treasury, may make regulations as to the mode in which any sum payable by those Commissioners in respect of any life or other terminable annuity, or the commutation of a pension, or the draft of trustees of a savings bank or of a friendly society, or of an advance from the Local Loans Fund, may be paid, and the manner in which a valid discharge is to be given to those Commissioners for any such payment and for crediting instead of paying the interest due in respect of any sums so paid; and payments made and discharges given in accordance with those regulations shall be valid, notwithstanding anything in any other Act.

(2) Section twenty-six<sup>(17)</sup> of the Trustee Savings Bank

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the whole of the stamp duty then payable shall be a debt due to the Crown, "and no allowance shall be made in respect of the sums deposited or paid."

(17) The early part of that section, which requires a draft exceeding £5000 to be signed by four trustees, and each signature to be attested by two separate witnesses, is expressly repealed by sect. 17, sub-sect. 1 (*infra*).

Act, 1863, so far as it relates to the signature and attestation of any draft or order for a sum exceeding five thousand pounds, shall cease to have effect.

17. *Repeal, commencement, and short title.*—(1) The enactments specified in the Schedule to this Act are hereby repealed to the extent mentioned in the third column of that Schedule.

(2) This Act shall come into operation on the first day of September nineteen hundred and three and may be cited as “The Revenue Act, 1903.”

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SCHEDULE.

ENACTMENTS REPEALED.

(Section 17.)

| Session and Chapter.    | Short Title.                              | Extent of Repeal.                                                                                                                                                                             |
|-------------------------|-------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 18 & 19 Vict.<br>c. 35. | The Income Tax (Insurance) Act, 1855.     | Section one, from “Provided that” to the end of the section.                                                                                                                                  |
| 26 & 27 Vict.<br>c. 87. | The Trustee Savings Bank Act, 1863.       | Section twenty-six, from the beginning of the section to “Provided also that,” inclusive.                                                                                                     |
| 39 & 40 Vict.<br>c. 35. | The Customs Tariff Act, 1876.             | The last paragraph but two of the Schedule, commencing with the words “Upon the importation into Great Britain and Ireland,” and ending with the words “importation into the United Kingdom.” |
| 53 & 54 Vict.<br>c. 8.  | The Customs and Inland Revenue Act, 1890. | Sub-section two of section twenty-six, except so far as applied for the purposes of this Act.                                                                                                 |
| 54 & 55 Vict.<br>c. 25. | The Customs and Inland Revenue Act, 1891. | Section four.                                                                                                                                                                                 |

| Session and Chapter.    | Short Title.            | Extent of Repeal.                                                                                                                                                                                                                                                                       |
|-------------------------|-------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 54 & 55 Vict.<br>c. 39. | The Stamp Act,<br>1891. | In the Schedule the words—<br>“COMMISSION: £ s. d.<br>(1) To any officer in<br>the army or in<br>the corps of<br>Royal Marines .. 1 10 0<br>(2) To any officer<br>in the navy ... 0 5 0<br><i>Exemption.</i><br>Commission to any officer of<br>militia, yeomanry, or volun-<br>teers.” |

## MILITARY LANDS ACT, 1903.

3 EDW. 7, CAP. 47.

*An Act to amend the Military Lands Acts, 1892 to 1900, with respect to the acquisition of Land for Military Purposes.*—[14th August, 1903.]

Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. *Power of councils to hire land for military purposes*—55 & 56 Vict. c. 43—63 & 64 Vict. c. 56.—(1) The council of a county or borough may, at the request of one or more volunteer corps, by agreement hire land on behalf of the volunteer corps for military purposes, for a period not less than twenty-one years, and may contribute towards the expenses incurred by another council in purchasing or hiring land for those purposes, and the expenses of so hiring or contributing may be defrayed in the same manner as expenses of purchasing, and the payment of those expenses so far as they are in the nature of capital expenses, shall accordingly be a purpose for which the council may borrow.

(2) Land hired under this section on behalf of one or more volunteer corps may be leased to the volunteer corps in like manner as land held by the council of a county or borough under sub-section three of section one of the Military Lands Act, 1892, and section one of the Military Lands Act, 1900, shall apply accordingly.

(3) Sections ten and eleven of the Military Lands Act, 1892, shall apply to leases of land to councils hiring land under this section as they apply to leases of land to a Secretary of State or a volunteer corps.

2. *Short title and construction.*—This Act may be cited as “The Military Lands Act, 1903,” and shall be construed as one with the Military Lands Acts, 1892 to 1900, and those Acts and this Act may be cited as “The Military Lands Acts, 1892 to 1903.”



# LIST OF LOCAL AND PERSONAL ACTS.

(3 EDWARD 7.)

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*The Titles to which the Letter (P) is prefixed are Public Acts of  
a Local Character.*

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## LOCAL ACTS.

ROYAL ASSENT, 30th June 1903.

i. An Act for enabling the Western Trust Limited to rearrange its capital and to provide for the extinction of its B shares and for issuing ordinary shares in lieu thereof and for altering the memorandum and articles of association of the Company and for other purposes. (*Western Trust Limited.*)

ii. An Act to make further provision with respect to the Servants' Pension Fund of the Great Western Railway Company and for other purposes. (*Great Western Railway Pension Fund.*)

iii. An Act to amalgamate the Guinness Trust (Dublin) Fund with the Dublin Improvement (Bull Alley area) Scheme to vest the property of the Guinness (Dublin) trustees in the trustees of the said scheme to change the name of such last-mentioned trustees to confer further powers on them and for other purposes. (*Iveagh Trust.*)

iv. An Act for enabling the Queensland Investment and Land Mortgage Company Limited to pay off capital paid in advance of calls and for other purposes. (*Queensland Investment and Land Mortgage Company's.*)

v. An Act to amend the Great Northern and City Railway Act 1902 and to authorise the Great Northern and City Railway Company to raise additional capital for the



purposes of their undertaking. (*Great Northern and City Railway.*)

vi. An Act to authorise the Maidstone Gas Company to convert their existing capital to raise additional capital and for other purposes. (*Maidstone Gas.*)

vii. An Act to authorise agreements between the councils of the Metropolitan boroughs of Stoke Newington Hackney and Islington with respect to the supply of electricity in bulk and to confer powers upon the Stoke Newington Borough Council with respect to the purchase of lands and for other purposes. (*Stoke Newington Borough Council.*)

viii. An Act to extend the powers of the North Middlesex Gas Company. (*North Middlesex Gas.*)

ix. An Act to confer further powers on the Plymouth and Stonehouse Gas Light and Coke Company and for other purposes. (*Plymouth and Stonehouse Gas.*)

x. An Act to confer further powers upon the Faversham Gas Company and for other purposes. (*Faversham Gas.*)

xi. An Act to provide for an increase and rearrangement of the share capital of North's Navigation Collieries (1889) Limited and for other purposes. (*North's Navigation Collieries (1889) Limited.*)

xii. An Act for enlarging the powers of investment of the Life Association of Scotland and for other purposes. (*Life Association of Scotland.*)

xiii. An Act to effect a combination of the undertakings of the Pelican Life Insurance Company and the British Empire Mutual Life Assurance Company and for other purposes. (*Pelican and British Empire Life Office.*)

xiv. An Act to extend the objects and powers of the Lima Railways Company Limited and for other purposes. (*Lima Railways Company Limited.*)

xv. An Act to authorise the Exeter Railway Company to acquire additional lands to revive and further extend the time for the completion of their authorised railways to raise additional capital and for other purposes. (*Exeter Railway.*)

xvi. An Act to abolish the rate now leviable for certain church purposes in the parish of All Saints Poplar in the County of London and to make other provisions for securing the stipend of the rector of All Saints Poplar and for other purposes. (*All Saints Poplar Rate Abolition.*)

xvii. An Act to enlarge the powers of the London Hydraulic Power Company as to the raising of capital the supply of water and the acquisition of a new site for their pumping station at Westminster and for other purposes. (*London Hydraulic Power Company's.*)

xviii. An Act to authorise the Sutton District Water Company to construct additional waterworks acquire lands and raise further moneys and for other purposes. (*Sutton District Waterworks.*)

xix. An Act for continuing the Bridgwater Gas Light Company for regulating and increasing the capital of the Company and for other purposes. (*Bridgwater Gas.*)

xx. An Act for incorporating and conferring powers upon the East Ardsley Gas Company and for other purposes. (*East Ardsley Gas.*)

xxi. An Act for incorporating and conferring powers on the Burgess Hill and St. John's Common Gas Company and for other purposes. (*Burgess Hill and St. John's Common Gas.*)

xxii. An Act to authorise the Scarborough Gas Company to raise additional capital and for other purposes. (*Scarborough Gas.*)

xxiii. An Act to confer further powers on the Sittingbourne District Gas Company. (*Sittingbourne District Gas.*)

xxiv. An Act to regulate the capital of the South Wales Mineral Railway Company and for other purposes. (*South Wales Mineral Railway.*)

xxv. An Act to confer further powers upon the Cleveland and Durham County Electric Power Company and for other purposes. (*Cleveland and Durham County Electric Power.*)

xxvi. An Act for further extending the powers of the India Rubber Gutta Percha and Telegraph Works Company Limited. (*India Rubber Gutta Percha and Telegraph Works Company (Limited).*)

xxvii. An Act to amend the Acts relating to the Milford Docks Company and for other purposes. (*Milford Docks.*)

xxviii. An Act for incorporating and conferring powers on the Market Drayton Gas Company. (*Market Drayton Gas.*)

xxix. An Act for incorporating and conferring powers on the Wellington (Salop) Gas Company and for other purposes. (*Wellington (Salop) Gas.*)

xxx. An Act for reviving and extending the period limited by the Knott End Railway Act 1898 for the compulsory purchase of lands and for extending the period limited by that Act for the construction of the railway by that Act authorised and for other purposes. (*Knott End Railway (Extension of Time).*)

xxxi. An Act for conferring further powers upon the Winchester Water and Gas Company and for other purposes. (*Winchester Water and Gas.*)

xxxii. An Act to confer additional powers upon the Midland Railway Company and upon the Norfolk and Suffolk Joint Railways Committee and upon the Midland and Great Northern Railways Joint Committee for the construction of works and the acquisition of lands and for other purposes. (*Midland Railway.*)

xxxiii. An Act for conferring further powers upon the Company of Proprietors of the Staffordshire and Worcestershire Canal Navigation and for other purposes. (*Staffordshire and Worcestershire Canal.*)

xxxiv. An Act to authorise the Harrow and Stanmore Gas Company to acquire lands to construct gasworks to raise additional capital and for other purposes. (*Harrow and Stanmore Gas.*)

xxxv. An Act to revive and extend the powers for the purchase of land and the time limited for the completion of the railway authorised by the Wirral Railway Act 1898 to

extend the time for disposing of and otherwise dealing with certain surplus lands of the Wirral Railway Company to increase the capital of that Company and for other purposes. (*Wirral Railway.*)

xxxvi. An Act to empower the Urban District Council of Rickmansworth to purchase the undertaking of the Rickmansworth Gas Company and to supply gas and for other purposes. (*Rickmansworth Gas.*)

xxxvii. An Act to authorise the transfer of the Knaresborough Waterworks to the Corporation of Harrogate and to enable them to supply water in Knaresborough and adjoining places. (*Harrogate Water.*)

xxxviii. An Act for conferring further powers on the Gorleston and Southtown Gas Company. (*Gorleston and Southtown Gas.*)

xxxix. An Act to confer further powers on the Belfast City and District Water Commissioners. (*Belfast Water.*)

xl. An Act to provide for the transfer of the undertaking of the Shepshed Gas and Coke Company Limited to the Shepshed Urban District Council and to confer further powers on the said Council with respect to the supply of gas and for other purposes. (*Shepshed Urban District Council Gas.*)

xli. An Act to enable the Gas Light and Coke Company to raise additional moneys and to purchase take and hold lands and for altering the standard price of gas and redeeming capital and for other purposes. (*Gas Light and Coke Company's.*)

xlii. An Act to make provision for the testing of gas supplied by the Commercial Gas Company and for other purposes. (*Commercial Gas.*)

xliii. An Act for conferring further powers on the Great Eastern Railway Company and for other purposes. (*Great Eastern Railway.*)

xliv. (P) An Act to confirm a Provisional Order under the Land Drainage Act 1861 relating to lands in the parishes of Aslackby and Dowsby in the county of Lincoln. (*Land Drainage Provisional Order Confirmation.*)

xliv. (P) An Act to confirm a Provisional Order made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 relating to Mitchelstown in the County of Cork. (*Electric Lighting Order Confirmation (No. 1).*)

xlvi. (P) An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lightings Acts 1882 and 1888 relating to Brixham Brumby and Frodingham Dawlish Horbury Hucknall-under-Huthwaite Newton-in-Makerfield Orrell Scunthorpe Sidmouth and Yeovil. (*Electric Lighting Orders Confirmation (No. 2).*)

xlvii. (P) An Act to conform certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 relating to Auckland (Rural) Carisbrooke and Northwood Drayton in Hales Illogan Ingleton Port Dinorwic Sevenoaks South Shields (Rural) Stafford (Rural) and Wilmslow. (*Electric Lighting Orders Confirmation (No. 3).*)

xlviii. (P) An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 the Electric Lighting (Scotland) Act 1890 and the Electric Lighting (Scotland) Act 1902 relating to Borrowstounness Cambuslang Irvine Kilmalcolm and Kirkintilloch. (*Electric Lighting Orders Confirmation (No. 4).*)

xlix. (P) An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 relating to Bexley (Extension) Bridgewater and District Bromley (Rural) Hendon (Amendment) Huddersfield (Extension) Leatherhead and District (Extension) Prestwich (Amendment) Stroud and Whitchurch and Pangbourne. (*Electric Lighting Orders Confirmation (No. 6).*)

i. (P) An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Lanarkshire and Ayrshire Railway. (*Lanarkshire and Ayrshire Railway Order Confirmation.*)

li. (P) An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating

to the Dundee Royal Lunatic Asylum. (*Dundee Royal Lunatic Asylum Order Confirmation.*)

lii. (P) An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the Urban Districts of Bray and Dungarvan and the Counties of Dublin Waterford and Wicklow. (*Local Government Board (Ireland) Provisional Orders Confirmation (No. 1).*)

liii. (P) An Act to confirm a Provisional Order of the Local Government Board for Ireland relating to the County of Waterford. (*Local Government Board (Ireland) Provisional Order Confirmation (No. 2).*)

liv. (P) An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to Belfast (Rural) Ennistymon (Rural) and Londonderry and the Rathdrum and Wicklow Joint Burial Board District. (*Local Government Board (Ireland) Provisional Orders Confirmation (No. 4).*)

lv. (P) An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the Urban District of Athy and the Rural District of Naas (No. 1). (*Local Government Board (Ireland) Provisional Orders Confirmation (No. 6).*)

lvi. (P) An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the Urban Districts of Armagh Clonakilty Fermoy Kinsale Lurgan Macroom Middleton Portadown Queenstown Skibbereen and Youghal the Counties of Armagh and Cork and the Kildare Drainage District. (*Local Government Board (Ireland) Provisional Orders Confirmation (No. 8).*)

lvii. (P) An Act to confirm a Provisional Order of the Local Government Board relating to Bolton. (*Local Government Board's Provisional Order Confirmation (Housing of Working Classes).*)

lviii. (P) An Act to confirm certain Provisional Orders of the Local Government Board relating to Aberavon Darlington Hexham Reading Stafford and Wallasey. (*Local Government Board's Provisional Orders Confirmation (No. 1).*)

lix. (P) An Act to confirm certain Provisional Orders of the Local Government Board relating to Barnes Burton-upon-Trent Castle Ward (Rural) Matlock Bath and Scarthin Nick Newton Abbot Penrith Stroud Worthing and Yaraley (Rural). (*Local Government Board's Provisional Orders Confirmation (No. 2).*)

lx. (P) An Act to confirm certain Provisional Orders of the Local Government Board relating to the Counties of Oxford and Worcester. (*Local Government Board's Provisional Orders Confirmation (No. 3).*)

lxi. (P) An Act to confirm certain Provisional Orders of the Local Government Board relating to Camborne Heston and Isleworth Mountain Ash New Windsor Southport Stratford-upon-Avon Tunbridge Wells and Whitley and Monkseaton. (*Local Government Board's Provisional Orders Confirmation (No. 4).*)

lxii. (P) An Act to confirm certain Provisional Orders of the Local Government Board relating to Coventry Rawmarsh Shipley and Tynemouth. (*Local Government Board's Provisional Orders Confirmation (No. 6).*)

lxiii. (P) An Act to confirm certain Provisional Orders of the Local Government Board relating to the Counties of East Sussex and Leicester. (*Local Government Board's Provisional Orders Confirmation (No. 7).*)

lxiv. (P) An Act to confirm certain Provisional Orders of the Local Government Board relating to the Ashbourne the Guildford Godalming and Woking and the South Shields (Rural) and Southwick-on-Wear Joint Hospital Districts. (*Local Government Board's Provisional Orders Confirmation (No. 11).*)

lxv. (P) An Act to confirm certain Provisional Orders of the Local Government Board relating to Cudworth Hucknall-under-Huthwaithe and Meltham. (*Local Government Board's Provisional Orders Confirmation (Gas).*)

lxvi. (P) An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to St. Luke's Church and Parish Quoad Sacra Edinburgh. (*St. Luke's Church and Parish Quoad Sacra Edinburgh Order Confirmation.*)

lxvii. (P) An Act to confirm a Provisional Order of the Admiralty under the Naval Works Act 1895. (*Naval Works Provisional Order Confirmation.*)

lxviii. (P) An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act 1861 relating to Llandudno Galway and Scrabster. (*Pier and Harbour Orders Confirmation (No. 1).*)

lxix. (P) An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Grangemouth water. (*Grangemouth Water Order Confirmation.*)

lxx. (P) An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Lanarkshire electricity and refuse destruction. (*Lanarkshire Electricity and Refuse Destruction Order Confirmation.*)

lxxi. (P) An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Forth Navigation. (*Forth Navigation Order Confirmation.*)

lxxii. (P) An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Caledonian Railway. (*Caledonian Railway Order Confirmation.*)

lxxiii. (P) An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Edinburgh Corporation (Markets Slaughter-houses &c.). (*Edinburgh Corporation (Markets Slaughter-houses &c.) Order Confirmation.*)

lxxiv. (P) An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the North British Railway. (*North British Railway (General Powers) Order Confirmation.*)

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lxxv. (P) An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the Urban Districts of Athlone and Kingstown (two).



*(Local Government Board (Ireland) Provisional Orders Confirmation (Housing of Working Classes).)*

lxxvi. (P) An Act to confirm certain Provisional Orders of the Local Government Board relating to the City of Oxford. *(Local Government Board's Provisional Orders Confirmation (Poor Law).)*

lxxvii. (P) An Act to confirm certain Provisional Orders of the Local Government Board relating to Barry Fenton Leeds and Tonbridge and the Ports of Hartlepool and Manchester. *(Local Government Board's Provisional Orders Confirmation (No. 9).)*

lxxviii. (P) An Act to confirm certain Provisional Orders of the Local Government Board relating to Ashton-under-Lyne Darwen Newton in Mackerfield Prestwich and Vaynor and Penderyn. *(Local Government Board's Provisional Orders Confirmation (No. 10).)*

lxxix. (P) An Act to confirm certain Provisional Orders of the Local Government Board relating to Blackpool Conway and Spalding and the Darenth Valley Main Sewerage District. *(Local Government Board's Provisional Orders Confirmation (No. 12).)*

lxxx. (P) An Act to confirm certain Provisional Orders of the Local Government Board relating to Colne and Swansea and the South Staffordshire Joint Small-Pox Hospital District. *(Local Government Board's Provisional Orders Confirmation (No. 14).)*

lxxxi. (P) An Act to confirm a Provisional Order of the Local Government Board relating to the Counties of London and Surrey. *(Local Government Board's Provisional Order Confirmation (No. 16).)*

lxxxii. (P) An Act to confirm certain Provisional Orders of the Local Government Board relating to Bury and the Bury and District Joint Hospital District. *(Local Government Board's Provisional Orders Confirmation (No. 17).)*

lxxxiii. (P) An Act to confirm a Provisional Order of the Local Government Board relating to Wolverhampton. *(Local Government Board's Provisional Order Confirmation (No. 18).)*

lxxxiv. (P) An Act to confirm certain Provisional Orders of the Secretary of State under the Military Lands Act 1892. (*Military Lands Provisional Orders Confirmation.*)

lxxxv. (P) An Act to confirm certain Provisional Orders made by the Board of Education under the Elementary Education Acts 1870 to 1900 to enable the School Boards for East Ham Lower Michaelstone Manchester and Willesden to put in force the Lands Clauses Acts. (*Education Board Provisional Orders Confirmation (East Ham &c.).*)

lxxxvi. (P) An Act to confirm a Provisional Order under the Burgh Police (Scotland) Act 1892 relating to Hamilton Burgh Water and Town Hall. (*Hamilton Burgh Order Confirmation.*)

lxxxvii. (P) An Act to confirm a Provisional Order under the Burgh Police (Scotland) Act 1892 relating to Broughty Ferry Gas Supply. (*Broughty Ferry Gas Order Confirmation.*)

lxxxviii. (P) An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 relating to Abersychan Calverley Falmouth Horsforth Launceston Maesteg Walton-upon-Thames Warmley Wickham and Wigan (Rural). (*Electric Lighting Orders Confirmation (No. 5).*)

lxxxix. (P) An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 relating to Cambridge and District Isle of Sheppey and District Sandwich Deal Walmer and District Sittingbourne and Milton Strood and Dartford (Rural Districts) Tadcaster and District (Extension) Uxbridge and District (Extension) and Wimbledon (Extension). (*Electric Lighting Orders Confirmation (No. 7).*)

xc. (P) An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act 1861 relating to Truro and Salen (Mull). (*Pier and Harbour Orders Confirmation (No. 6).*)

xc. An Act to consolidate the existing loans of the Southampton Harbour Board and to empower them to raise further money and to authorise contributions by and agreements with the London and South Western Railway

Company and the Mayor Aldermen and Burgesses of the Borough of Southampton and for other purposes. (*Southampton Harbour.*)

xcii. An Act to amend King's College London Act 1882. (*King's College London.*)

xciii. An Act to authorise the Scunthorpe Urban District Council to construct waterworks in lieu of the waterworks authorised by the Scunthorpe Urban District Gas and Water Act 1899 and for other purposes. (*Scunthorpe Urban District Water.*)

xciv. An Act to confer further powers upon the Ipswich Gas Light Company. (*Ipswich Gas.*)

xcv. An Act to authorise the Lanarkshire and Dumbartonshire Railway Company to raise further moneys to enable the Caledonian Railway Company to subscribe for additional share or stock to sanction certain existing railways and for other purposes. (*Lanarkshire and Dumbartonshire Railway.*)

xcvi. An Act to authorise the Urban District Council of New Hunstanton to acquire land for water and gas purposes to construct an outfall sewer and to make further provision in regard to the health local government improvement and finance of the Urban District and for other purposes. (*New Hunstanton Improvement.*)

xcvii. An Act for empowering the British Gas Light Company Limited to expend further capital at Norwich. (*British Gas Light Company Limited (Norwich).*)

xcviii. An Act to empower the Hastings Tramways Company to construct extension tramways in the County Borough of Hastings and for other purposes. (*Hastings Tramways (Extensions).*)

xcix. An Act to extend the powers of the Jewish Colonisation Association and for other purposes. (*Jewish Colonisation Association.*)

c. An Act to authorise the Hampton Court Gas Company to raise additional capital to convert their existing capital to enlarge their works to amend their existing Act and for other purposes. (*Hampton Court Gas.*)

ci. An Act to confer further powers upon the Charing Cross Euston and Hampstead Railway Company to authorise agreements with the Underground Electric Railways Company of London Limited and for other purposes. (*Charing Cross and Hampstead Railway.*)

cii. An Act to extend the time for the compulsory purchase of lands and for the construction and completion of the Wolverhampton and Cannock Chase Railway and for other purposes. (*Wolverhampton and Cannock Chase Railway (Extension of Time).*)

ciii. An Act for conferring further powers upon the London and North Western Railway Company in relation to their own undertaking and upon that Company and the Midland Railway Company in relation to their respective joint undertakings and upon the Shropshire Union Railways and Canal Company in relation to their undertaking and for other purposes. (*London and North Western Railway.*)

civ. An Act to empower the Urban District Council of Nantwich to supply gas and to provide for the transfer of the undertaking of the Nantwich Gas Company Limited to the Council and to make further and better provision with regard to the supply of electricity and for the improvement health local government and finance of the district and for other purposes. (*Nantwich Urban District Council.*)

cv. An Act to confer further powers upon the Sheffield and South Yorkshire Navigation Company. (*Sheffield and South Yorkshire Navigation.*)

cvi. An Act to authorise the Corporation of Torquay to construct additional waterworks and for other purposes. (*Torquay Corporation Water.*)

cvii. An Act to extend the time for the construction of certain waterworks authorised by the Nelson Local Board Act 1888 for protecting the water supply from pollution and to make better provision in regard to the supply of water and for other purposes. (*Nelson Corporation.*)

cviii. An Act to extend the periods for the commencement of the construction and for the completion of the tramways tramroads and other works and for the taking of lands authorised by the West Cumberland Electric Tram-

ways Act 1901 to extend the area within which the West Cumberland Electric Tramways Company may supply electricity and to confer on that Company further and additional powers with regard to such supply and for other purposes. (*West Cumberland Electric Tramways.*)

cix. An Act to confer further powers upon the Fishguard and Rosslare Railways and Harbours Company for the construction of a railway and other works and the acquisition of lands and to make provision as to a bridge over the river Suir at Waterford to empower the Great Western and Great Southern and Western Railway Companies to guarantee interest on the capital of the Company and for other purposes. (*Fishguard and Rosslare Railways and Harbours.*)

cx. An Act to confer further powers upon the Hexham Gas Company. (*Hexham Gas.*)

cx. An Act to enable the Cheshire Lines Committee to make new railways to acquire additional lands and for other purposes. (*Cheshire Lines.*)

cxii. An Act to confirm an agreement between the Highland Railway Company and the Invergarry and Fort Augustus Railway Company to enable the Highland Railway Company to erect and maintain a hotel at Dornoch to apply their capital thereto and for other purposes. (*Highland and Invergarry and Fort Augustus Railway Companies.*)

cxiii. An Act to authorise the Port Talbot Railway and Docks Company to raise further moneys for the purposes of their undertaking. (*Port Talbot Railway and Docks.*)

cxiv. An Act to empower the Urban District Council of Merthyr Tydfil to construct additional waterworks and a street improvement and to make further and better provision for the good government health and improvement of the district and for other purposes. (*Merthyr Tydfil Urban District Council.*)

cxv. An Act to empower the Pontypridd Urban District Council to make a new street and other street works to lay down a tramway and to confer further powers upon the Council with regard to their gas and electricity undertakings

and with regard to the good government and improvement of the district. (*Pontypridd Urban District Council.*)

cxvi. An Act to authorise the Council for the Urban District of Frinton-on-Sea in the County of Essex to construct and maintain sea walls and other works at Frinton-on-Sea and to improve and regulate the sea front of the said district and for other purposes. (*Frinton-on-Sea Defences.*)

cxvii. An Act for empowering the Cardiff Railway Company to construct a new railway and works and to abandon the construction of a portion of railway already authorised for extending the time for the completion of certain railways and works and for other purposes. (*Cardiff Railway.*)

cxviii. An Act to make further and better provision with regard to the electric light undertaking of the Council and for the improvement health local government and finance of the district and for other purposes. (*Aston Manor Improvement.*)

cxix. An Act for making railways in the County of Derby from the Midland Railway (Dore and Chinley Branch) at Grindleford to the Midland Railway (Derby and Manchester Branch) at Bakewell and for other purposes. (*Grindleford Baslow and Bakewell Railway.*)

cxx. An Act to confer further powers on the London Brighton and South Coast Railway Company and for other purposes. (*London Brighton and South Coast Railway.*)

cxxi. An Act to authorise the Mersey Docks and Harbour Board to construct additional dock works on the Liverpool side of the River Mersey to amend in certain respects the Acts relating to that Board and for other purposes. (*Mersey Docks and Harbour Board.*)

cxxii. An Act for conferring further powers on the Broadstairs Gas Company. (*Broadstairs Gas.*)

cxxiii. An Act to make further and better provision with regard to the improvement health local government and finance of the Borough of Hyde and for other purposes. (*Hyde Corporation.*)

cxxiv. An Act to make provision as to the Water Supply of the Borough of Leigh and the Urban District of Hindley

to enable the Corporation of Leigh to make new water-works tramways and street improvements and to make further provisions for the health local government and improvement of the said Borough and for other purposes. (*Leigh Corporation.*)

cxxv. An Act to confer further powers upon the Great Northern Railway Company. (*Great Northern Railway.*)

cxxvi. An Act to empower the Metropolitan District Railway Company to deviate the railway authorised by the Metropolitan District Railway Act 1897 and to construct other railways to acquire lands to lay down electric cables to raise further capital to acquire the Hounslow and Metropolitan Railway and for other purposes. (*Metropolitan District Railway.*)

cxxvii. An Act to provide for the vesting of the undertaking of the Belfast and Northern Counties Railway Company in the Midland Railway Company. (*Midland Railway (Belfast and Northern Counties Railway Purchase).*)

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cxxviii. (P) An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act 1861 relating to Dawlish Bude and Sandown. (*Pier and Harbour Orders Confirmation (No. 2).*)

cxxix. (P) An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act 1861 relating to Aultbea and Pennan. (*Pier and Harbour Orders Confirmation (No. 3).*)

cccc. (P) An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act 1861 relating to Sligo Limerick and Dundalk. (*Pier and Harbour Orders Confirmation (No. 4).*)

ccxxi. (P) An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act 1861 relating to Boscombe and Bournemouth Carnarvon Gorleston Herne Bay and Avoch. (*Pier and Harbour Orders Confirmation (No. 5).*)

cxxxii. (P) An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act 1870 relating to Cobham Gas Conisbrough Gas Hailsham Gas St. Ives (Hunts) Gas and Woking District Gas. (*Gas Orders Confirmation (No. 1).*)

cxxxiii. (P) An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act 1870 relating to Brading Harbour District Gas Crossgates Halton and Seacroft Gas Herne Bay Gas Pembroke Docks and Town Gas and Riddings District Gas. (*Gas Orders Confirmation (No. 2).*)

cxxxiv. (P) An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act 1870 relating to Bolsover and District Water Goring and Streatley District Water Leatherhead and District Water Ludgershall Water and Mid-Kent Water. (*Water Orders Confirmation.*)

cxxxv. (P) An Act to confirm certain Provisional Orders of the Local Government Board relating to the Metropolitan Boroughs of Hampstead Holborn and Lambeth. (*Local Government Board's Provisional Orders Confirmation (No. 5).*)

cxxxvi. (P) An Act to confirm certain Provisional Orders of the Local Government Board relating to the Auckland Shildon and Willington the Croydon and Wimbledon the Tarvin Malpas and Tarporley and the Windsor and Egham Joint Hospital Districts. (*Local Government Board's Provisional Orders Confirmation (No. 8).*)

cxxxvii. (P) An Act to confirm certain Provisional Orders of the Local Government Board relating to Dover and Yeovil. (*Local Government Board's Provisional Orders Confirmation (No. 13).*)

cxxxviii. (P) An Act to confirm a Provisional Order under the Drainage and Improvement of Lands Act (Ireland) 1863 and the Acts amending the same relating to the Pallas River Drainage District in the County of Tipperary. (*Drainage and Improvement of Lands Supplemental (Ireland).*)



**cxix.** (P) An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the County of Wexford the Urban District of Wexford and the Town of Keady. (*Local Government Board (Ireland) Provisional Orders Confirmation (No. 3).*)

**cxl.** (P) An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to Castleblayney (Urban) Castleblayney (Rural) the port of Cork and the Portadown and Banbridge Joint Waterworks District. (*Local Government Board (Ireland) Provisional Orders Confirmation (No. 5).*)

**cxli.** (P) An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the Urban Districts of Ballymena Ballymoney Banbridge Bangor Carrickfergus Dromore Holywood Larne Lisburn Newry Newtownards Portrush and Warrenpoint and the Counties of Antrim Armagh and Down. (*Local Government Board (Ireland) Provisional Orders Confirmation (No. 7).*)

**cxlii.** (P) An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Perth Corporation (Tramways). (*Perth Corporation (Tramways) Order Confirmation.*)

**cxliii.** (P) An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Aberdeen Corporation Tramways. (*Aberdeen Corporation Tramways Order Confirmation.*)

**cxliv.** (P) An Act to confirm a Provisional Order made by one of His Majesty's Principal Secretaries of State under the Metropolitan Police Act 1886 relating to land in the Royal Borough of Kensington. (*Metropolitan Police Provisional Order Confirmation.*)

**cxlv.** (P) An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act 1870 relating to Burton-upon-Trent Corporation Tramways Bury Corporation Tramways Cardiff Corporation Tramways (Extension) Huddersfield Corporation Tramways Leeds Corporation Tramways Newcastle-upon-Tyne Corporation

Tramways and Portobello and Musselburgh Tramways. (*Tramways Orders Confirmation (No. 1).*)

cxlvi. (P) An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act 1870 relating to Barrow-in-Furness Tramways Horsforth Urban District Council Tramways Keighley Corporation Tramways and Ramsbottom Urban District Council Tramways. (*Tramways Orders Confirmation (No. 2).*)

cxlvii. (P) An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Irvine and District Water Board. (*Irvine and District Water Board Order Confirmation.*)

cxlviii. (P) An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Royal Burgh of Rothesay. (*Rothesay Corporation Order Confirmation.*)

cxlix. (P) An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Scottish Episcopal Clergy Widows' and Orphans' Fund. (*Scottish Episcopal Clergy Widows' and Orphans' Fund Order Confirmation.*)

cl. (P) An Act to confirm a Provisional Order made by the Board of Education under the Education Acts 1870 to 1902 to enable the School Board for London to put in force the Lands Clauses Acts. (*Education Board Provisional Order Confirmation (London).*)

cli. (P) An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act 1870 relating to Aldershot Gas and Water Amersham Beaconsfield and District Water St. David's Water and Gas St. Neot's Water and Wexford Gas. (*Gas and Water Orders Confirmation.*)

clii. (P) An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Glasgow Corporation (Police). (*Glasgow Corporation (Police) Order Confirmation.*)

cliii. (P) An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating

to the Lanarkshire Tramways. (*Lanarkshire Tramways Order Confirmation.*)

cliv. (P) An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Wick and Pulteney Harbours. (*Wick and Pulteney Harbours Order Confirmation.*)

clv. (P) An Act to confirm a scheme of the Charity Commissioners for the management of the charity called Addenbrooke's Hospital in the Town of Cambridge in the County of Cambridge regulated by the Act of the seventh year of George the Third chapter ninety-nine. (*Addenbrooke's Hospital Scheme Confirmation.*)

clvi. (P) An Act to enable His Majesty's Postmaster-General to acquire lands in London and Bristol for the public service and for other purposes. (*Post Office (Sites).*)

clvii. An Act to enable the Scottish American Mortgage Company Limited to create preference stock to enlarge its powers and for other purposes. (*Scottish American Mortgage Company Limited.*)

clviii. An Act to authorise the South Lancashire Tramways Company to construct additional tramways and other works and to extend the time for taking lands and for the construction and completion of certain authorised tramways and widenings and for other purposes. (*South Lancashire Tramways.*)

clix. An Act to confer further powers on the Didcot Newbury and Southampton Railway Company. (*Didcot Newbury and Southampton Railway.*)

clx. An Act to empower the Great Southern and Western Railway Company to construct certain new railways to acquire additional lands to enlarge and improve their station at Waterford to confer further powers upon the Company to enable them to raise additional capital and for other purposes. (*Great Southern and Western Railway.*)

clxi. An Act to provide for the sale and disposal of Saint Philip's Chapel (Regent Street) and for other purposes. (*Saint Philip (Regent Street) Chapel.*)

clxii. An Act to authorise the Baker Street and Waterloo Railway Company to acquire additional lands and for other purposes. (*Baker Street and Waterloo Railway.*)

clxiii. An Act to enable the Midland Great Western Railway of Ireland Company to construct a railway from Kingscourt to Castleblayney to acquire additional lands and for other purposes. (*Midland Great Western Railway of Ireland.*)

clxiv. An Act to empower the Walker and Wallsend Union Gas Company to raise additional capital and for other purposes. (*Walker and Wallsend Union Gas.*)

clxv. An Act to confirm an agreement for the transfer to the Blackheath and Greenwich District Electric Light Company Limited of the undertaking of the Lewisham and District Electric Supply Company Limited and to confer further powers upon the Blackheath and Greenwich District Electric Light Company Limited and for other purposes. (*Blackheath and Greenwich District Electric Light Company's.*)

clxvi. An Act for consolidating the capital of the Derby Gas Light and Coke Company for enabling that Company to raise additional capital and for other purposes. (*Derby Gas.*)

clxvii. An Act for empowering the Dudley Stourbridge and District Electric Traction Company Limited to work their tramways by mechanical or electrical power and for other purposes. (*Dudley Stourbridge and District Tramways.*)

clxviii. An Act to extend the time limited for the completion of and purchase of lands for the works authorised by the Christchurch and Bournemouth Tramways Act 1900 and for other purposes. (*Christchurch and Bournemouth Tramways.*)

clxix. An Act for authorising the Tynemouth and District Electric Traction Company Limited to use mechanical power upon their Tramways and for other purposes. (*Tynemouth and District Tramways.*)

clxx. An Act to make further provision with respect to the health and good government of the County Borough

of Middlesbrough and the collection of rates within the said Borough and for other purposes. (*Middlesbrough Corporation.*)

clxxi. An Act for extending the time for the purchase of certain lands and completion of certain railways by the Taff Vale Railway Company for enabling the Company to work their railways by electrical power and for other purposes. (*Taff Vale Railway.*)

clxxii. An Act to confer further powers on the Mayor Aldermen and Burgesses of the Borough of Sutton Coldfield in regard to their electric light undertaking and to make further provision for the improvement health local government and finance of the Borough and for other purposes. (*Sutton Coldfield Corporation.*)

clxxiii. An Act for empowering the City and South London Railway Company to construct an extension of their underground railway to Euston in the County of London and for transferring to that Company the powers of the City and Brixton Railway Company and for other purposes. (*City and South London Railway.*)

clxxiv. An Act to transfer the electricity undertaking of the Walker and Wallsend Union Gas Company to the Newcastle-upon-Tyne Electric Supply Company Limited and for other purposes. (*Newcastle-upon-Tyne Electric Supply Company's.*)

clxxv. An Act to authorise the Empire Electric Light and Power Company Limited to construct tramways in Romford and the adjoining districts in the County of Essex and for other purposes. (*Romford and District Tramways.*)

clxxvi. An Act to confer further powers upon the Mayor Aldermen and Burgesses of the Borough of Wigan in regard to the construction of tramways and street improvements and for other purposes. (*Wigan Corporation Tramways.*)

clxxvii. An Act to authorise the Mayor Aldermen and Councillors of the Metropolitan Borough of Woolwich to supply electrical energy in bulk to the Urban District Council of Foots Cray to confer further powers upon the

said Mayor Aldermen and Councillors and to make further provision with respect to markets in the Borough of Woolwich and for other purposes. (*Woolwich Borough Council.*)

clxxviii. An Act to empower the Mayor Aldermen and Burgesses of the Borough of Bournemouth to maintain and use the tramways authorised by the Bournemouth Corporation Tramways Order 1900 and to make provision for the transfer of the undertaking of the Poole and District Electric Traction Company Limited and for other purposes. (*Bournemouth Corporation Tramways.*)

clxxix. An Act to amend the Alexandra Park and Palace (Public Purposes) Act 1900 and to confer powers on the Alexandra Park Trustees to make charges for admission on bank holidays. (*Alexandra Park and Palace.*)

clxxx. An Act to authorise the Chatham and District Light Railways Company to construct tramways and tramroads and other works and for other purposes. (*Chatham and District Light Railways Company.*)

clxxxi. An Act to confer powers on the Urban District Council of Willesden with respect to their electric lighting undertaking and recreation grounds streets buildings sanitary and other matters for the good government of their district and to transfer to them the powers of the Vestry of the Parish of Willesden and for other purposes. (*Willesden Urban District Council.*)

clxxxii. An Act to authorise the Mayor Aldermen and Citizens of the City of Exeter to construct tramways and street improvements and for other purposes. (*Exeter Corporation.*)

clxxxiii. An Act to extend the time for the completion of certain railways by the Barry Railway Company to confirm an agreement between the Company and certain landowners to empower the Company to raise additional capital and for other purposes. (*Barry Railway.*)

clxxxiv. An Act to authorise the construction of a new tramway in the Urban District of Ravensthorpe and the electrical equipment and reconstruction of tramways in the Boroughs of Dewsbury and Batley and the Urban Districts of Gomersal Birkenshaw Soothill Upper and Birstal and

for other purposes. (*Dewsbury Batley and Birstal Tramways.*)

clxxxv. An Act to empower the Mayor Aldermen and Burgesses of the Borough of Worthing to construct tramways in and adjacent to the Borough and for other purposes. (*Worthing Corporation (Tramways).*)

clxxxvi. An Act to confer further powers on the Great Northern Piccadilly and Brompton Railway Company and for other purposes. (*Great Northern Piccadilly and Brompton Railway (Various Powers).*)

clxxxvii. An Act to empower the London County Council to purchase lands to extend the time for completion of certain works to empower the Metropolitan Borough Councils of Camberwell and Kensington to execute works and purchase lands to make provision with respect to premises used for receiving horses for slaughter and carcasses of dead horses and the removal and disposal of dead horses to make provision with respect to the drainage of Upper Norwood to confer powers upon Metropolitan Borough Councils with respect to street markets and the provision and maintenance of public clocks and for other purposes. (*London County Council (General Powers).*)

clxxxviii. An Act to confer further powers upon the London Tilbury and Southend Railway Company. (*London Tilbury and Southend Railway.*)

clxxxix. An Act to incorporate the Watford and Edgware Railway Company and for empowering them to construct a railway from Watford to Edgware and for other purposes. (*Watford and Edgware Railway.*)

exc. An Act to empower the Harrow Road and Paddington Tramways Company to work their tramways by mechanical power to lease their undertakings to the Metropolitan Electric Tramways Limited and for other purposes. (*Harrow Road and Paddington Tramways.*)

exci. An Act for conferring further powers on the London United Tramways (1901) Limited for widening and altering roads and acquiring lands in the Counties of Middlesex Surrey and London and for other purposes. (*London United Tramways.*)

cxcii. An Act to empower the Corporation of Birmingham to work tramways and to construct an additional tramway and to confer further powers on them in regard to streets buildings and sewers and the health local government and improvement of the City and for other purposes. (*Birmingham Corporation.*)

cxci. An Act to incorporate the Manchester Southern Tramways Company and to empower that Company to make and maintain tramways and other works in the County palatine of Lancaster and in the County of Chester and for other purposes. (*Manchester Southern Tramways.*)

cxci. An Act to extend the time limited by the Kingscourt Keady and Armagh Railway Act 1900 for the compulsory purchase of lands and for the construction of certain of the railways authorised by that Act and for other purposes. (*Castleblaney Keady and Armagh Railway.*)

cxci. An Act to authorise the Portsmouth Street Tramways Company to construct new tramways in the Urban Districts of Gosport and Alverstoke and of Fareham in the County of Southampton to work such new tramways and to adapt the existing tramways of that Company in the Urban District of Gosport and Alverstoke for working by electrical or other mechanical power and for other purposes. (*Gosport and Fareham Tramways.*)

cxci. An Act for conferring further powers upon the Great Western Railway Company in respect of their own undertaking and upon that Company and the London and North Western Railway Company and the Midland Railway Company in respect of undertakings in which they are jointly interested for amalgamating the Ely Valley Railway Company with the Great Western Railway Company and for other purposes. (*Great Western Railway.*)

cxci. An Act to extend and enlarge the powers of the Lancashire and Yorkshire Railway Company and the London and North Western Railway Company as to steam vessels and for other purposes. (*Lancashire and Yorkshire and London and North Western Railway Companies (Steam Vessels).*)

cxci. An Act to confer further powers upon the Neath Pontardawe and Brynaman Railway Company for the con-



struction of railways to authorise the Company to raise additional capital and for other purposes. (*Neath Pontardawe and Brynaman Railway.*)

cxix. An Act to authorise the Mayor Aldermen and Burgesses of the Borough of Chard to purchase the undertaking of the Chard Gas Company and to supply gas within their Borough and the neighbourhood thereof and for other purposes. (*Chard Corporation Gas.*)

cc. An Act to authorise the Mayor Aldermen and Citizens of the City of Rochester to construct tramways and street improvements and for other purposes. (*Rochester Corporation Tramways and Improvements.*)

cci. An Act for rendering valid certain letters patent granted to William Phillips Thompson in respect of inventions communicated to him from abroad by Frederic Ellsworth Kip (1) for improvements in stop-motions for looms warping machines and the like and (2) for improvements in electrical stop-motions for warps. (*Kip's Patent.*)

ccii. An Act to incorporate the Nottinghamshire and Derbyshire Tramways Company and to empower that Company to make and maintain tramways and other works in the Counties of Nottingham and Derby and for other purposes. (*Nottinghamshire and Derbyshire Tramways.*)

cciii. An Act to repeal section 17 of the West Bromwich Corporation Act 1900 and section 4 of the West Bromwich Improvement Amendment Act 1865 and to enact other provisions in lieu thereof and for other purposes. (*West Bromwich Corporation.*)

cciv. An Act to authorise the British Electric Traction Company Limited to construct new tramways between Worthing and Shoreham to work such new tramways and to adapt the existing tramways between Shoreham and Hove for working by electrical or other mechanical power and for other purposes. (*Hove Worthing and District Tramways.*)

ccv. An Act to enable the South Eastern and Chatham Railway Companies Managing Committee to work the South Eastern and London Chatham and Dover Railways by

electrical power and for other purposes. (*South Eastern and London Chatham and Dover Railways.*)

ccvi. An Act to confer power on the Scottish Ontario and Manitoba Land Company Limited for the repayment and reduction of their capital and for other purposes. (*Scottish Ontario and Manitoba Land Company Limited.*)

ccvii. An Act to empower the Corporation of Bath to construct additional waterworks and for other purposes. (*Bath Corporation Water.*)

ccviii. An Act to make provision in respect of the lease of the undertaking of the Dublin and Kingstown Railway Company to the Dublin Wicklow and Wexford Railway Company to enable the Dublin Wicklow and Wexford Railway Company to make certain diversion railways and other works to raise additional money and for other purposes. (*Dublin Wicklow and Wexford Railway.*)

ccix. An Act to authorise the Bournemouth Gas and Water Company to acquire additional lands to construct works and for other purposes. (*Bournemouth Gas and Water.*)

ccx. An Act for incorporating and conferring powers on the Carmarthenshire Electric Power Company. (*Carmarthenshire Electric Power Company.*)

ccxi. An Act to empower the Lord Mayor Aldermen and Burgesses of the City of Bristol to construct additional dock railways and works and for other purposes. (*Bristol Corporation.*)

ccxii. An Act to incorporate a Company and authorise them to acquire the undertaking of the Commissioners for the harbour of Maryport and to construct a dock railways and works at and near Maryport and for other purposes. (*Maryport Harbour.*)

ccxiii. An Act to confer further powers upon the Lord Mayor Aldermen and Citizens of the City of Manchester with reference to tramways and streets and otherwise for the better local government and improvement of the City to extend the City and to make provision with reference to the Manchester Royal Infirmary and the borrowing powers of the Corporation and for other purposes. (*Manchester Corporation.*)

ccxiv. An Act for incorporating and conferring powers on the Somerset and District Electric Power Company. (*Somerset and District Electric Power.*)

ccxv. An Act to enable the City of Birmingham Tramways Company Limited to construct additional tramways and for other purposes. (*Birmingham District Tramways.*)

ccxvi. An Act to extend the time limited by the Baker Street and Waterloo Railway Act 1900 for the compulsory purchase of lands and for the construction of certain of the railways authorised by that Act and for other purposes. (*Baker Street and Waterloo Railway (Extension of Time).*)

ccxvii. An Act to authorise the Urban District Council of Beckenham in the County of Kent to carry out street improvements to construct and work tramways and to make further provision in regard to the electricity undertaking of the council and for the improvement health local government and finance of the district and for other purposes. (*Beckenham Urban District Council.*)

ccxviii. An Act to regulate the expenditure of money by the London County Council on capital account during the current financial period and the raising of money to meet such expenditure. (*London County Council (Money).*)

ccxix. An Act to enable the London County Council to construct and work tramways in the County of London to make street improvements and to acquire and use lands for the purposes of a station or stations for generating electric energy to empower the Council of the Metropolitan Borough of Woolwich to widen and improve Well Hall Road and for other purposes. (*London County Council (Tramways and Improvements).*)

ccxx. An Act to incorporate the Mullingar Kells and Drogheda Railway Company and for making railways and other works in the Counties of Westmeath Meath and Louth and to confer subscription and other powers on certain existing railway companies and for other purposes. (*Mullingar Kells and Drogheda Railway.*)

ccxxi. An Act for incorporating and conferring powers on the Fife Electric Power Company. (*Fife Electric Power.*)

ccxxii. An Act to enable the Mayor Aldermen and Burgesses of the County Borough of South Shields to construct tramways in the Borough and for other purposes. (*South Shields Corporation.*)

ccxxiii. An Act to confer further powers upon the Urban District Council for the district of East Ham in the County of Essex. (*East Ham Improvement.*)

ccxxiv. An Act to enable the Urban District Council of Wood Green to acquire part of Wood Green Common for the purposes of a dust destructor and to make further provision with regard to the electric light undertaking of the Council and for the improvement health and local government of the district and for other purposes. (*Wood Green Urban District Council.*)

ccxxv. An Act to empower the Mayor Aldermen and Burgesses of the County Borough of Brighton to construct and work tramways and for other purposes. (*Brighton Corporation.*)

ROYAL ASSENT, 14th August 1903.

ccxxvi. (P) An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Airdrie and Coatbridge Tramways. (*Airdrie and Coatbridge Tramways Order Confirmation.*)

ccxxvii. (P) An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Lerwick Harbour. (*Lerwick Harbour Improvements Act 1877 Amendment Order Confirmation.*)

ccxxviii. (P) An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Glasgow Corporation Tramways. (*Glasgow Corporation Tramways Order Confirmation.*)

ccxxix. (P) An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Burgh of Auchterarder. (*Auchterarder Town Council Order Confirmation.*)

ccxxx. (P) An Act for the acquisition of land for the further extension of the Patent Office and for purposes connected therewith. (*Patent Office (Extension).*)

ccxxx. An Act to confer further powers upon the South Staffordshire Tramways (lessee) Company Limited for the working of tramways by electrical power and for other purposes. (*South Staffordshire Tramways.*)

ccxxxii. An Act to separate University College Liverpool from the Victoria University and to merge it in the University of Liverpool and to transfer all the property and liabilities of the said University College to the University of Liverpool and for other purposes. (*Liverpool University.*)

ccxxxiii. An Act to confer powers on the Mayor Aldermen and Citizens of the City of Bradford with respect to tramways waterworks and gas supply to enable the Corporation and the Urban District Council of Shipley to exchange portions of their respective gas undertakings and to make further provisions with respect to rating and various matters of local administration and management. (*Bradford Corporation.*)

ccxxxiv. An Act to empower the Bury and District Joint Water Board to construct additional waterworks to repeal and amend enactments relating to the water undertaking of the Board and for other purposes. (*Bury and District Joint Water Board.*)

ccxxxv. An Act to incorporate the Preston Chorley and Horwich Tramways Company and to empower that Company to make and maintain tramways and other works and for other purposes. (*Preston Chorley and Horwich Tramways.*)

ccxxxvi. An Act to enable the Mayor Aldermen and Burgesses of the Borough of Salford to construct an additional tramway and to make street improvements to confirm an agreement with the Lord Mayor Aldermen and Citizens of the City of Manchester to provide for transfer to the Corporation of certain powers of electric lighting and to enable the Corporation to raise additional moneys by mortgage and by the creation and issue of stock and for other purposes. (*Salford Corporation.*)

ccxxxvii. An Act for incorporating and conferring powers on the Shropshire and Worcestershire Electric Power Company. (*Shropshire and Worcestershire Electric Power.*)

ccxxxviii. An Act for incorporating and conferring powers on the North Western Electricity and Power-Gas Company and for other purposes. (*North-Western Electricity and Power-Gas.*)

ccxxxix. An Act to define the ranking and priority of the mortgages of the Hastings Harbour Commissioners already issued and to be issued under former Acts for the completion of the harbour works to extend the periods limited for the purchase of lands for and for the completion of such works and for other purposes. (*Hastings Harbour.*)

ccxl. An Act to authorise the Hastings Harbour District Railway Company to construct deviation railways and new railways to raise additional capital and for other purposes. (*Hastings Harbour District Railway.*)

ccxli. An Act for incorporating and conferring powers on the Scottish Central Electric Power Company. (*Scottish Central Electric Power.*)

ccxlii. An Act to incorporate the Mid-Yorkshire Tramways Company and to empower that Company to make and maintain tramways and other works and for other purposes. (*Mid-Yorkshire Tramways.*)

ccxliii. An Act to empower the Mayor Aldermen and Burgesses of the Borough of Bangor to make a gift of a new site for Bangor College to provide recreation grounds to provide weighing machines to acquire the Penrhyn Hall and for other purposes. (*Bangor Corporation.*)

ccxliv. An Act to empower the South-Western and Isle of Wight Junction Railway Company to construct a railway and a pier to raise additional capital to enter into working agreements with the London and South-Western Railway Company and for other purposes. (*South-Western and Isle of Wight Junction Railway.*)

ccxlv. An Act to authorise the Urban District Council of Ebbw Vale to provide additional cemeteries and to make further provision with regard to the supply of electricity and for the improvement health local government and finance of the district and for other purposes. (*Ebbw Vale Improvement.*)

ccxlvi. An Act to empower the Corporation of Kingston-

upon-Hull to make a certain street work and bridge to construct additional tramways and to confer further powers on them in regard to streets buildings and sewers and the health local government and improvement of the City and for other purposes. (*Kingston-upon-Hull Corporation.*)

ccxlvii. An Act to authorise the Corporation of Dover to borrow money for the purchase of the undertaking of the Dover Electricity Supply Company Limited and for other purposes. (*Dover Corporation.*)

ccxlviii. An Act to constitute and incorporate a joint board consisting of representatives of the Urban District Councils of Abercarn Abertillery Ebbw Vale Nantyglo and Blaina and Risca all in the County of Monmouth and to authorise the board to construct main trunk sewers and other works for the disposal of the sewage of such districts and for other purposes. (*Western Valleys (Monmouthshire) Sewerage Board.*)

ccxlix. An Act to incorporate the Stroud and District Tramways Company and to empower that Company to make and maintain tramways in the County of Gloucester and for other purposes. (*Stroud and District Tramways.*)

ccl. An Act to authorise the Urban District Council of Erith in the County of Kent to construct and work tramways to carry out street improvements and to make further provision in regard to the supply of electricity and for the improvement health local government and finance of the district and for other purposes. (*Erith Tramways and Improvement.*)

ccli. An Act to authorise the construction of new railways and the acquisition of lands by the Great Central Railway Company in connection with their undertaking the construction of a new railway by the North Wales and Liverpool Railway Committee or the Company in connection with the undertaking of that Committee the diversion of footpaths by the Great Western and Great Central Railways' Joint Committee in connection with their undertaking and for other purposes. (*Great Central Railway.*)

cclii. An Act to make better provision for the health good government and improvement of the County Borough

of Gateshead and for other purposes. (*Gateshead Corporation.*)

ccliii. An Act for enabling the North-Eastern the Lancashire and Yorkshire the Great Northern the Midland and the Great Central Railway Companies to construct or take over certain railways in South Yorkshire authorised by the Shireoaks Laughton and Maltby Railway Act 1901 and the North-Eastern Railway Act 1902 and to construct other railways and works for constituting a joint committee and for other purposes. (*South Yorkshire Joint Railway.*)

ccliv. An Act to confer additional powers upon the North-Eastern Railway Company for the construction of new railways and other works and the acquisition of lands and for other purposes. (*North-Eastern Railway.*)

cclv. An Act to confer further powers on the Lord Mayor Aldermen and Citizens of the City of Sheffield with respect to their water undertaking and their electrical undertaking to authorise the execution of various street widenings and other works in the City to consolidate into one township certain townships in the City to make further and make better provision for the improvement health and good government of the City and for other purposes. (*Sheffield Corporation.*)

ccarvi. An Act to amend the Acts relating to the Cork Harbour Commissioners to confer further powers on the Commissioners and for other purposes. (*Cork Harbour.*)

cclvii. An Act to authorise the acquisition of lands known as Lambourne Common Chigwell Common Fox Burrows Farm Grange Hill Forest and other lands in the County of Essex for the purposes of public open spaces. (*Hainault (Lambourne Fox Burrows and Grange Hill).*)

cclviii. An Act for making railways in the County of Lancaster for connecting the Southport and Cheshire Lines Extension Railway with the Liverpool Overhead Railway and for other purposes. (*Seaforth and Sefton Junction Railway.*)

cclix. An Act to authorise the Coventry Electric Tramways Company to construct additional tramways and for other purposes. (*Coventry Electric Tramways.*)



cclx. An Act to authorise the construction of a railway in the Counties of Tyrone and Donegal between Strabane and Convoys and for other purposes. (*Strabane Raphoe and Convoys Railway.*)

cclxi. An Act to authorise the British Electric Traction Company Limited to construct further tramways in the Counties of Surrey and Kent and for other purposes. (*Croydon and District Electric Tramways (Extensions).*)

cclxii. An Act to change the name of the Newry Keady and Tynan Light Railway Company to extend the time for the compulsory purchase of lands for and for the completion of the railways authorised by the Newry Keady and Tynan Light Railway Act 1900 and for other purposes. (*Ulster and Connaught Light Railways.*)

cclxiii. An Act to empower the Urban District Council of Willesden to sell their generating station at Willesden to the North Metropolitan Electric Power Supply Company to confer further powers upon that Company and for other purposes. (*North Metropolitan Electric Power Supply.*)

#### PRIVATE ACTS.

*Printed by the King's Printer, and whereof the printed copies may be given in evidence.*

ROYAL ASSENT, 11th August 1903.

1. An Act to vest the estate of Lochnell in the County of Argyll in trustees for certain purposes with power of sale and other powers. (*Lochnell Estate.*)

2. An Act to enable money to be raised or secured upon the Pentillie estate in the County of Cornwall devised by the will of Augustus Coryton esquire deceased. (*Pentillie Estate.*)

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